

DECEMBER 16, 2019

RULES COMMITTEE PRINT 116–44
TEXT OF THE HOUSE AMENDMENT TO THE
SENATE AMENDMENT TO H.R. 1865

[Showing the text of the Further Consolidated Appropriations Act, 2020]

At the end of the Senate amendment, add the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Further Consolidated
3 Appropriations Act, 2020”.

4 SEC. 2. TABLE OF CONTENTS.

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

Sec. 4. Explanatory statement.

Sec. 5. Statement of appropriations.

Sec. 6. Availability of funds.

Sec. 7. Adjustments to compensation.

Sec. 8. Office of Management and Budget Reporting Requirements.

DIVISION A—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Department of Labor

Title II—Department of Health and Human Services

Title III—Department of Education

Title IV—Related Agencies

Title V—General Provisions

DIVISION B—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Agricultural Programs

Title II—Farm Production and Conservation Programs

Title III—Rural Development Programs
Title IV—Domestic Food Programs
Title V—Foreign Assistance and Related Programs
Title VI—Related Agencies and Food and Drug Administration
Title VII—General Provisions

DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED
AGENCIES APPROPRIATIONS ACT, 2020

Title I—Corps of Engineers—Civil
Title II—Department of the Interior
Title III—Department of Energy
Title IV—Independent Agencies
Title V—General Provisions

DIVISION D—DEPARTMENT OF THE INTERIOR, ENVIRONMENT,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Department of the Interior
Title II—Environmental Protection Agency
Title III—Related Agencies
Title IV—General Provisions

DIVISION E—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2020

Title I—Legislative Branch
Title II—General Provisions

DIVISION F—MILITARY CONSTRUCTION, VETERANS AFFAIRS,
AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Department of Defense
Title II—Department of Veterans Affairs
Title III—Related Agencies
Title IV—Overseas Contingency Operations
Title V—Natural Disaster Relief
Title VI—General Provisions

DIVISION G—DEPARTMENT OF STATE, FOREIGN OPERATIONS,
AND RELATED PROGRAMS APPROPRIATIONS ACT, 2020

Title I—Department of State and Related Agency
Title II—United States Agency for International Development
Title III—Bilateral Economic Assistance
Title IV—International Security Assistance
Title V—Multilateral Assistance
Title VI—Export and Investment Assistance
Title VII—General Provisions

DIVISION H—TRANSPORTATION, HOUSING AND URBAN DEVELOP-
MENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2020

Title I—Department of Transportation
Title II—Department of Housing and Urban Development
Title III—Related Agencies
Title IV—General Provisions—This Act

DIVISION I—EXTENSIONS

Title I—Immigration Extensions
Title II—National Flood Insurance Program Extension
Title III—Secure Rural Schools and Community Self-Determination Extension
Title IV—Export-Import Bank Extension
Title V—Terrorism Risk Insurance Program Extension
Title VI—NASA Enhanced Use Leasing Extension
Title VII—INKSNA Extension
Title VIII—Brand USA Extension
Title IX—DC Opportunity Scholarship Extensions
Title X—Budgetary Effects

DIVISION J—FOREIGN POLICY

DIVISION K—NATIONAL LAW ENFORCEMENT MUSEUM
COMMEMORATIVE COIN

DIVISION L—DHS CYBER HUNT AND INCIDENT RESPONSE
TEAMS

DIVISION M—BIPARTISAN AMERICAN MINERS

DIVISION N—HEALTH AND HUMAN SERVICES EXTENDERS

DIVISION O—SETTING EVERY COMMUNITY UP FOR RETIREMENT
ENHANCEMENT

DIVISION P—OTHER MATTER

Title I—Platte River Recovery Implementation Program
Title II—Great Lakes
Title III—Morris K. Udall and Stewart L. Udall Foundation
Title IV—White Horse Hill National Game Preserve
Title V—Pittman-Robertson Fund
Title VI—John F. Kennedy Center
Title VII—Preserving America’s Battlefields
Title VIII—Veterans Affairs Report on Disability Compensation and the Positive Association With Exposure to an Herbicide Agent
Title IX—Disaster Recovery Workforce
Title X—Television Viewer Protection
Title XI—Eligibility to Receive Signals Under a Distant-Signal Satellite License
Title XII—Groundfish Trawl Fishery
Title XIII—Temporary Relief from Certain ERISA Requirements
Title XIV—Library of Congress Technical Corrections
Title XV—Senate Entities
Title XVI—Legislative Branch Inspectors General Independence
Title XVII—Managing Political Fund Activity
Title XVIII—Kentucky Wildlands National Heritage Area Study
Title XIX—International Bank for Reconstruction and Development
Title XX—European Energy Security and Diversification Act of 2019

1 **SEC. 3. REFERENCES.**

2 Except as expressly provided otherwise, any reference
3 to “this Act” contained in any division of this Act shall

1 be treated as referring only to the provisions of that divi-
2 sion.

3 **SEC. 4. EXPLANATORY STATEMENT.**

4 The explanatory statement regarding this Act, print-
5 ed in the House section of the Congressional Record on
6 or about December 17, 2019, and submitted by the Chair-
7 woman of the Committee on Appropriations of the House,
8 shall have the same effect with respect to the allocation
9 of funds and implementation of divisions A through H of
10 this Act as if it were a joint explanatory statement of a
11 committee of conference.

12 **SEC. 5. STATEMENT OF APPROPRIATIONS.**

13 The following sums in this Act are appropriated, out
14 of any money in the Treasury not otherwise appropriated,
15 for the fiscal year ending September 30, 2020.

16 **SEC. 6. AVAILABILITY OF FUNDS.**

17 (a) Each amount designated in this Act by the Con-
18 gress as an emergency requirement pursuant to section
19 251(b)(2)(A)(i) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985 shall be available (or re-
21 scinded, if applicable) only if the President subsequently
22 so designates all such amounts and transmits such des-
23 ignations to the Congress.

24 (b) Each amount designated in this Act by the Con-
25 gress for Overseas Contingency Operations/Global War on

1 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985
3 shall be available (or rescinded, if applicable) only if the
4 President subsequently so designates all such amounts
5 and transmits such designations to the Congress.

6 **SEC. 7. ADJUSTMENTS TO COMPENSATION.**

7 Notwithstanding any other provision of law, no ad-
8 justment shall be made under section 601(a) of the Legis-
9 lative Reorganization Act of 1946 (2 U.S.C. 4501) (relat-
10 ing to cost of living adjustments for Members of Congress)
11 during fiscal year 2020.

12 **SEC. 8. OFFICE OF MANAGEMENT AND BUDGET REPORT-**
13 **ING REQUIREMENTS.**

14 (a) As of the date of enactment of this Act, section
15 150 of the Continuing Appropriations Act, 2020 (division
16 A of Public Law 116–59), as added by the Further Con-
17 tinuing Appropriations Act, 2020 (division A of Public
18 Law 116–69), shall no longer have any force or effect.

19 (b) Notwithstanding the “7 calendar days” require-
20 ment in section 251(a)(7)(B) of the Balanced Budget and
21 Emergency Deficit Control Act of 1985 (2 U.S.C.
22 901(a)(7)(B)), for any appropriations Act for fiscal year
23 2020 enacted before January 1, 2020, the Office of Man-
24 agement and Budget shall transmit to the Congress its
25 report under that section estimating the discretionary

1 budgetary effects of such Acts not later than January 15,
2 2020.

1 **DIVISION A—DEPARTMENTS OF LABOR,**
2 **HEALTH AND HUMAN SERVICES, AND**
3 **EDUCATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2020**

5 TITLE I

6 DEPARTMENT OF LABOR

7 EMPLOYMENT AND TRAINING ADMINISTRATION

8 TRAINING AND EMPLOYMENT SERVICES

9 For necessary expenses of the Workforce Innovation
10 and Opportunity Act (referred to in this Act as “WIOA”)
11 and the National Apprenticeship Act, \$3,611,200,000,
12 plus reimbursements, shall be available. Of the amounts
13 provided:

14 (1) for grants to States for adult employment
15 and training activities, youth activities, and dis-
16 located worker employment and training activities,
17 \$2,819,832,000 as follows:

18 (A) \$854,649,000 for adult employment
19 and training activities, of which \$142,649,000
20 shall be available for the period July 1, 2020
21 through June 30, 2021, and of which
22 \$712,000,000 shall be available for the period
23 October 1, 2020 through June 30, 2021;

1 (B) \$913,130,000 for youth activities,
2 which shall be available for the period April 1,
3 2020 through June 30, 2021; and

4 (C) \$1,052,053,000 for dislocated worker
5 employment and training activities, of which
6 \$192,053,000 shall be available for the period
7 July 1, 2020 through June 30, 2021, and of
8 which \$860,000,000 shall be available for the
9 period October 1, 2020 through June 30, 2021:

10 *Provided*, That the funds available for allotment to
11 outlying areas to carry out subtitle B of title I of the
12 WIOA shall not be subject to the requirements of
13 section 127(b)(1)(B)(ii) of such Act; and

14 (2) for national programs, \$791,368,000 as fol-
15 lows:

16 (A) \$270,859,000 for the dislocated work-
17 ers assistance national reserve, of which
18 \$70,859,000 shall be available for the period
19 July 1, 2020 through September 30, 2021, and
20 of which \$200,000,000 shall be available for the
21 period October 1, 2020 through September 30,
22 2021: *Provided*, That funds provided to carry
23 out section 132(a)(2)(A) of the WIOA may be
24 used to provide assistance to a State for state-
25 wide or local use in order to address cases

1 where there have been worker dislocations
2 across multiple sectors or across multiple local
3 areas and such workers remain dislocated; co-
4 ordinate the State workforce development plan
5 with emerging economic development needs; and
6 train such eligible dislocated workers: *Provided*
7 *further*, That funds provided to carry out sec-
8 tions 168(b) and 169(c) of the WIOA may be
9 used for technical assistance and demonstration
10 projects, respectively, that provide assistance to
11 new entrants in the workforce and incumbent
12 workers: *Provided further*, That notwithstanding
13 section 168(b) of the WIOA, of the funds pro-
14 vided under this subparagraph, the Secretary of
15 Labor (referred to in this title as “Secretary”)
16 may reserve not more than 10 percent of such
17 funds to provide technical assistance and carry
18 out additional activities related to the transition
19 to the WIOA: *Provided further*, That of the
20 funds provided under this subparagraph,
21 \$70,000,000 shall be for training and employ-
22 ment assistance under sections 168(b), 169(c)
23 (notwithstanding the 10 percent limitation in
24 such section) and 170 of the WIOA as follows:

1 (i) \$30,000,000 shall be for workers
2 in the Appalachian region, as defined by
3 40 U.S.C. 14102(a)(1) and workers in the
4 Lower Mississippi, as defined in section
5 4(2) of the Delta Development Act (Public
6 Law 100–460, 102 Stat. 2246; 7 U.S.C.
7 2009aa(2));

8 (ii) \$40,000,000 shall be for the pur-
9 pose of developing, offering, or improving
10 educational or career training programs at
11 community colleges, defined as public insti-
12 tutions of higher education, as described in
13 section 101(a) of the Higher Education
14 Act and at which the associate’s degree is
15 primarily the highest degree awarded, with
16 other eligible institutions of higher edu-
17 cation, as defined in section 101(a) of the
18 Higher Education Act, eligible to partici-
19 pate through consortia, with community
20 colleges as the lead grantee: *Provided*,
21 That the Secretary shall follow the require-
22 ments for the program in House Report
23 116–62: *Provided further*, That any grant
24 funds used for apprenticeships shall be
25 used to support only apprenticeship pro-

1 grams registered under the National Ap-
2 prenticeship Act and as referred to in sec-
3 tion 3(7)(B) of the Workforce Innovation
4 and Opportunity Act;

5 (B) \$55,000,000 for Native American pro-
6 grams under section 166 of the WIOA, which
7 shall be available for the period July 1, 2020
8 through June 30, 2021;

9 (C) \$91,896,000 for migrant and seasonal
10 farmworker programs under section 167 of the
11 WIOA, including \$85,229,000 for formula
12 grants (of which not less than 70 percent shall
13 be for employment and training services),
14 \$6,122,000 for migrant and seasonal housing
15 (of which not less than 70 percent shall be for
16 permanent housing), and \$545,000 for other
17 discretionary purposes, which shall be available
18 for the period April 1, 2020 through June 30,
19 2021: *Provided*, That notwithstanding any
20 other provision of law or related regulation, the
21 Department of Labor shall take no action lim-
22 iting the number or proportion of eligible par-
23 ticipants receiving related assistance services or
24 discouraging grantees from providing such serv-
25 ices;

1 (D) \$94,534,000 for YouthBuild activities
2 as described in section 171 of the WIOA, which
3 shall be available for the period April 1, 2020
4 through June 30, 2021;

5 (E) \$98,079,000 for ex-offender activities,
6 under the authority of section 169 of the
7 WIOA, which shall be available for the period
8 April 1, 2020 through June 30, 2021: *Provided,*
9 That of this amount, \$25,000,000 shall be for
10 competitive grants to national and regional
11 intermediaries for activities that prepare young
12 ex-offenders and school dropouts for employ-
13 ment, with a priority for projects serving high-
14 crime, high-poverty areas;

15 (F) \$6,000,000 for the Workforce Data
16 Quality Initiative, under the authority of section
17 169 of the WIOA, which shall be available for
18 the period July 1, 2020 through June 30,
19 2021; and

20 (G) \$175,000,000 to expand opportunities
21 through apprenticeships only registered under
22 the National Apprenticeship Act and as referred
23 to in section 3(7)(B) of the WIOA, to be avail-
24 able to the Secretary to carry out activities
25 through grants, cooperative agreements, con-

1 tracts and other arrangements, with States and
2 other appropriate entities, which shall be avail-
3 able for the period July 1, 2020 through June
4 30, 2021.

5 JOB CORPS

6 (INCLUDING TRANSFER OF FUNDS)

7 To carry out subtitle C of title I of the WIOA, includ-
8 ing Federal administrative expenses, the purchase and
9 hire of passenger motor vehicles, the construction, alter-
10 ation, and repairs of buildings and other facilities, and the
11 purchase of real property for training centers as author-
12 ized by the WIOA, \$1,743,655,000, plus reimbursements,
13 as follows:

14 (1) \$1,603,325,000 for Job Corps Operations,
15 which shall be available for the period July 1, 2020
16 through June 30, 2021;

17 (2) \$108,000,000 for construction, rehabilita-
18 tion and acquisition of Job Corps Centers, which
19 shall be available for the period July 1, 2020
20 through June 30, 2023, and which may include the
21 acquisition, maintenance, and repair of major items
22 of equipment: *Provided*, That the Secretary may
23 transfer up to 15 percent of such funds to meet the
24 operational needs of such centers or to achieve ad-
25 ministrative efficiencies: *Provided further*, That any

1 funds transferred pursuant to the preceding provi-
2 sion shall not be available for obligation after June
3 30, 2021: *Provided further*, That the Committees on
4 Appropriations of the House of Representatives and
5 the Senate are notified at least 15 days in advance
6 of any transfer; and

7 (3) \$32,330,000 for necessary expenses of Job
8 Corps, which shall be available for obligation for the
9 period October 1, 2019 through September 30,
10 2020:

11 *Provided*, That no funds from any other appropriation
12 shall be used to provide meal services at or for Job Corps
13 centers.

14 COMMUNITY SERVICE EMPLOYMENT FOR OLDER

15 AMERICANS

16 To carry out title V of the Older Americans Act of
17 1965 (referred to in this Act as “OAA”), \$405,000,000,
18 which shall be available for the period April 1, 2020
19 through June 30, 2021, and may be recaptured and reobli-
20 gated in accordance with section 517(c) of the OAA.

21 FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

22 For payments during fiscal year 2020 of trade ad-
23 justment benefit payments and allowances under part I
24 of subchapter B of chapter 2 of title II of the Trade Act
25 of 1974, and section 246 of that Act; and for training,

1 employment and case management services, allowances for
2 job search and relocation, and related State administrative
3 expenses under part II of subchapter B of chapter 2 of
4 title II of the Trade Act of 1974, and including benefit
5 payments, allowances, training, employment and case
6 management services, and related State administration
7 provided pursuant to section 231(a) of the Trade Adjust-
8 ment Assistance Extension Act of 2011 and section 405(a)
9 of the Trade Preferences Extension Act of 2015,
10 \$680,000,000 together with such amounts as may be nec-
11 essary to be charged to the subsequent appropriation for
12 payments for any period subsequent to September 15,
13 2020: *Provided*, That notwithstanding section 502 of this
14 Act, any part of the appropriation provided under this
15 heading may remain available for obligation beyond the
16 current fiscal year pursuant to the authorities of section
17 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

18 STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT

19 SERVICE OPERATIONS

20 For authorized administrative expenses,
21 \$84,066,000, together with not to exceed \$3,290,583,000
22 which may be expended from the Employment Security
23 Administration Account in the Unemployment Trust Fund
24 (“the Trust Fund”), of which:

1 (1) \$2,540,816,000 from the Trust Fund is for
2 grants to States for the administration of State un-
3 employment insurance laws as authorized under title
4 III of the Social Security Act (including not less
5 than \$175,000,000 to carry out reemployment serv-
6 ices and eligibility assessments under section 306 of
7 such Act, any claimants of regular compensation, as
8 defined in such section, including those who are
9 profiled as most likely to exhaust their benefits, may
10 be eligible for such services and assessments: *Pro-*
11 *vided*, That of such amount, \$117,000,000 is speci-
12 fied for grants under section 306 of the Social Secu-
13 rity Act and is provided to meet the terms of section
14 251(b)(2)(E)(ii) of the Balanced Budget and Emer-
15 gency Deficit Control Act of 1985, as amended, and
16 \$58,000,000 is additional new budget authority
17 specified for purposes of section 251(b)(2)(E)(i)(II)
18 of such Act; and \$9,000,000 for continued support
19 of the Unemployment Insurance Integrity Center of
20 Excellence), the administration of unemployment in-
21 surance for Federal employees and for ex-service
22 members as authorized under 5 U.S.C. 8501–8523,
23 and the administration of trade readjustment allow-
24 ances, reemployment trade adjustment assistance,
25 and alternative trade adjustment assistance under

1 the Trade Act of 1974 and under section 231(a) of
2 the Trade Adjustment Assistance Extension Act of
3 2011 and section 405(a) of the Trade Preferences
4 Extension Act of 2015, and shall be available for ob-
5 ligation by the States through December 31, 2020,
6 except that funds used for automation shall be avail-
7 able for Federal obligation through December 31,
8 2020, and for State obligation through September
9 30, 2022, or, if the automation is being carried out
10 through consortia of States, for State obligation
11 through September 30, 2026, and for expenditure
12 through September 30, 2027, and funds for competi-
13 tive grants awarded to States for improved oper-
14 ations and to conduct in-person reemployment and
15 eligibility assessments and unemployment insurance
16 improper payment reviews and provide reemploy-
17 ment services and referrals to training, as appro-
18 priate, shall be available for Federal obligation
19 through December 31, 2020, and for obligation by
20 the States through September 30, 2022, and funds
21 for the Unemployment Insurance Integrity Center of
22 Excellence shall be available for obligation by the
23 State through September 30, 2021, and funds used
24 for unemployment insurance workloads experienced

1 through September 30, 2020 shall be available for
2 Federal obligation through December 31, 2020;

3 (2) \$12,000,000 from the Trust Fund is for na-
4 tional activities necessary to support the administra-
5 tion of the Federal-State unemployment insurance
6 system;

7 (3) \$646,639,000 from the Trust Fund, to-
8 gether with \$21,413,000 from the General Fund of
9 the Treasury, is for grants to States in accordance
10 with section 6 of the Wagner-Peyser Act, and shall
11 be available for Federal obligation for the period
12 July 1, 2020 through June 30, 2021;

13 (4) \$22,318,000 from the Trust Fund is for na-
14 tional activities of the Employment Service, includ-
15 ing administration of the work opportunity tax cred-
16 it under section 51 of the Internal Revenue Code of
17 1986, and the provision of technical assistance and
18 staff training under the Wagner-Peyser Act;

19 (5) \$68,810,000 from the Trust Fund is for the
20 administration of foreign labor certifications and re-
21 lated activities under the Immigration and Nation-
22 ality Act and related laws, of which \$54,528,000
23 shall be available for the Federal administration of
24 such activities, and \$14,282,000 shall be available

1 for grants to States for the administration of such
2 activities; and

3 (6) \$62,653,000 from the General Fund is to
4 provide workforce information, national electronic
5 tools, and one-stop system building under the Wag-
6 ner-Peyser Act and shall be available for Federal ob-
7 ligation for the period July 1, 2020 through June
8 30, 2021:

9 *Provided*, That to the extent that the Average Weekly In-
10 sured Unemployment (“AWIU”) for fiscal year 2020 is
11 projected by the Department of Labor to exceed
12 1,706,000, an additional \$28,600,000 from the Trust
13 Fund shall be available for obligation for every 100,000
14 increase in the AWIU level (including a pro rata amount
15 for any increment less than 100,000) to carry out title
16 III of the Social Security Act: *Provided further*, That
17 funds appropriated in this Act that are allotted to a State
18 to carry out activities under title III of the Social Security
19 Act may be used by such State to assist other States in
20 carrying out activities under such title III if the other
21 States include areas that have suffered a major disaster
22 declared by the President under the Robert T. Stafford
23 Disaster Relief and Emergency Assistance Act: *Provided*
24 *further*, That the Secretary may use funds appropriated
25 for grants to States under title III of the Social Security

1 Act to make payments on behalf of States for the use of
2 the National Directory of New Hires under section
3 453(j)(8) of such Act: *Provided further*, That the Sec-
4 retary may use funds appropriated for grants to States
5 under title III of the Social Security Act to make pay-
6 ments on behalf of States to the entity operating the State
7 Information Data Exchange System: *Provided further*,
8 That funds appropriated in this Act which are used to es-
9 tablish a national one-stop career center system, or which
10 are used to support the national activities of the Federal-
11 State unemployment insurance, employment service, or
12 immigration programs, may be obligated in contracts,
13 grants, or agreements with States and non-State entities:
14 *Provided further*, That States awarded competitive grants
15 for improved operations under title III of the Social Secu-
16 rity Act, or awarded grants to support the national activi-
17 ties of the Federal-State unemployment insurance system,
18 may award subgrants to other States and non-State enti-
19 ties under such grants, subject to the conditions applicable
20 to the grants: *Provided further*, That funds appropriated
21 under this Act for activities authorized under title III of
22 the Social Security Act and the Wagner-Peyser Act may
23 be used by States to fund integrated Unemployment In-
24 surance and Employment Service automation efforts, not-
25 withstanding cost allocation principles prescribed under

1 the final rule entitled “Uniform Administrative Require-
2 ments, Cost Principles, and Audit Requirements for Fed-
3 eral Awards” at part 200 of title 2, Code of Federal Regu-
4 lations: *Provided further*, That the Secretary, at the re-
5 quest of a State participating in a consortium with other
6 States, may reallocate funds allotted to such State under title
7 III of the Social Security Act to other States participating
8 in the consortium or to the entity operating the Unemploy-
9 ment Insurance Information Technology Support Center
10 in order to carry out activities that benefit the administra-
11 tion of the unemployment compensation law of the State
12 making the request: *Provided further*, That the Secretary
13 may collect fees for the costs associated with additional
14 data collection, analyses, and reporting services relating
15 to the National Agricultural Workers Survey requested by
16 State and local governments, public and private institu-
17 tions of higher education, and nonprofit organizations and
18 may utilize such sums, in accordance with the provisions
19 of 29 U.S.C. 9a, for the National Agricultural Workers
20 Survey infrastructure, methodology, and data to meet the
21 information collection and reporting needs of such entities,
22 which shall be credited to this appropriation and shall re-
23 main available until September 30, 2021, for such pur-
24 poses.

1 2021, for the procurement of expert witnesses for enforce-
2 ment litigation.

3 PENSION BENEFIT GUARANTY CORPORATION

4 PENSION BENEFIT GUARANTY CORPORATION FUND

5 The Pension Benefit Guaranty Corporation (“Cor-
6 poration”) is authorized to make such expenditures, in-
7 cluding financial assistance authorized by subtitle E of
8 title IV of the Employee Retirement Income Security Act
9 of 1974, within limits of funds and borrowing authority
10 available to the Corporation, and in accord with law, and
11 to make such contracts and commitments without regard
12 to fiscal year limitations, as provided by 31 U.S.C. 9104,
13 as may be necessary in carrying out the program, includ-
14 ing associated administrative expenses, through Sep-
15 tember 30, 2020, for the Corporation: *Provided*, That
16 none of the funds available to the Corporation for fiscal
17 year 2020 shall be available for obligations for administra-
18 tive expenses in excess of \$452,858,000: *Provided further*,
19 That to the extent that the number of new plan partici-
20 pants in plans terminated by the Corporation exceeds
21 100,000 in fiscal year 2020, an amount not to exceed an
22 additional \$9,200,000 shall be available through Sep-
23 tember 30, 2024, for obligations for administrative ex-
24 penses for every 20,000 additional terminated partici-
25 pants: *Provided further*, That obligations in excess of the

1 amounts provided for administrative expenses in this para-
2 graph may be incurred and shall be available through Sep-
3 tember 30, 2024 for obligation for unforeseen and extraor-
4 dinary pre-termination or termination expenses or extraor-
5 dinary multiemployer program related expenses after ap-
6 proval by the Office of Management and Budget and noti-
7 fication of the Committees on Appropriations of the House
8 of Representatives and the Senate: *Provided further*, That
9 an additional amount shall be available for obligation
10 through September 30, 2024 to the extent the Corpora-
11 tion's costs exceed \$250,000 for the provision of credit or
12 identity monitoring to affected individuals upon suffering
13 a security incident or privacy breach, not to exceed an ad-
14 ditional \$100 per affected individual.

15 WAGE AND HOUR DIVISION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Wage and Hour Divi-
18 sion, including reimbursement to State, Federal, and local
19 agencies and their employees for inspection services ren-
20 dered, \$242,000,000.

21 OFFICE OF LABOR-MANAGEMENT STANDARDS

22 SALARIES AND EXPENSES

23 For necessary expenses for the Office of Labor-Man-
24 agement Standards, \$43,187,000.

1 Longshore and Harbor Workers' Compensation Act,
2 \$234,600,000, together with such amounts as may be nec-
3 essary to be charged to the subsequent year appropriation
4 for the payment of compensation and other benefits for
5 any period subsequent to August 15 of the current year,
6 for deposit into and to assume the attributes of the Em-
7 ployees' Compensation Fund established under 5 U.S.C.
8 8147(a): *Provided*, That amounts appropriated may be
9 used under 5 U.S.C. 8104 by the Secretary to reimburse
10 an employer, who is not the employer at the time of injury,
11 for portions of the salary of a re-employed, disabled bene-
12 ficiary: *Provided further*, That balances of reimbursements
13 unobligated on September 30, 2019, shall remain available
14 until expended for the payment of compensation, benefits,
15 and expenses: *Provided further*, That in addition there
16 shall be transferred to this appropriation from the Postal
17 Service and from any other corporation or instrumentality
18 required under 5 U.S.C. 8147(c) to pay an amount for
19 its fair share of the cost of administration, such sums as
20 the Secretary determines to be the cost of administration
21 for employees of such fair share entities through Sep-
22 tember 30, 2020: *Provided further*, That of those funds
23 transferred to this account from the fair share entities to
24 pay the cost of administration of the Federal Employees'

1 Compensation Act, \$74,777,000 shall be made available
2 to the Secretary as follows:

3 (1) For enhancement and maintenance of auto-
4 mated data processing systems operations and tele-
5 communications systems, \$24,540,000;

6 (2) For automated workload processing oper-
7 ations, including document imaging, centralized mail
8 intake, and medical bill processing, \$22,968,000;

9 (3) For periodic roll disability management and
10 medical review, \$25,535,000;

11 (4) For program integrity, \$1,734,000; and

12 (5) The remaining funds shall be paid into the
13 Treasury as miscellaneous receipts:

14 *Provided further*, That the Secretary may require that any
15 person filing a notice of injury or a claim for benefits
16 under 5 U.S.C. 81, or the Longshore and Harbor Work-
17 ers' Compensation Act, provide as part of such notice and
18 claim, such identifying information (including Social Secu-
19 rity account number) as such regulations may prescribe.

20 SPECIAL BENEFITS FOR DISABLED COAL MINERS

21 For carrying out title IV of the Federal Mine Safety
22 and Health Act of 1977, as amended by Public Law 107-
23 275, \$20,970,000, to remain available until expended.

24 For making after July 31 of the current fiscal year,
25 benefit payments to individuals under title IV of such Act,

1 for costs incurred in the current fiscal year, such amounts
2 as may be necessary.

3 For making benefit payments under title IV for the
4 first quarter of fiscal year 2021, \$14,000,000, to remain
5 available until expended.

6 ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES

7 OCCUPATIONAL ILLNESS COMPENSATION FUND

8 For necessary expenses to administer the Energy
9 Employees Occupational Illness Compensation Program
10 Act, \$59,846,000, to remain available until expended: *Pro-*
11 *vided*, That the Secretary may require that any person fil-
12 ing a claim for benefits under the Act provide as part of
13 such claim such identifying information (including Social
14 Security account number) as may be prescribed.

15 BLACK LUNG DISABILITY TRUST FUND

16 (INCLUDING TRANSFER OF FUNDS)

17 Such sums as may be necessary from the Black Lung
18 Disability Trust Fund (the “Fund”), to remain available
19 until expended, for payment of all benefits authorized by
20 section 9501(d)(1), (2), (6), and (7) of the Internal Rev-
21 enue Code of 1986; and repayment of, and payment of
22 interest on advances, as authorized by section 9501(d)(4)
23 of that Act. In addition, the following amounts may be
24 expended from the Fund for fiscal year 2020 for expenses
25 of operation and administration of the Black Lung Bene-

1 fits program, as authorized by section 9501(d)(5): not to
2 exceed \$38,246,000 for transfer to the Office of Workers'
3 Compensation Programs, "Salaries and Expenses"; not to
4 exceed \$32,844,000 for transfer to Departmental Manage-
5 ment, "Salaries and Expenses"; not to exceed \$330,000
6 for transfer to Departmental Management, "Office of In-
7 spector General"; and not to exceed \$356,000 for pay-
8 ments into miscellaneous receipts for the expenses of the
9 Department of the Treasury.

10 OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
11 SALARIES AND EXPENSES

12 For necessary expenses for the Occupational Safety
13 and Health Administration, \$581,787,000, including not
14 to exceed \$108,575,000 which shall be the maximum
15 amount available for grants to States under section 23(g)
16 of the Occupational Safety and Health Act (the "Act"),
17 which grants shall be no less than 50 percent of the costs
18 of State occupational safety and health programs required
19 to be incurred under plans approved by the Secretary
20 under section 18 of the Act; and, in addition, notwith-
21 standing 31 U.S.C. 3302, the Occupational Safety and
22 Health Administration may retain up to \$499,000 per fis-
23 cal year of training institute course tuition and fees, other-
24 wise authorized by law to be collected, and may utilize
25 such sums for occupational safety and health training and

1 education: *Provided*, That notwithstanding 31 U.S.C.
2 3302, the Secretary is authorized, during the fiscal year
3 ending September 30, 2020, to collect and retain fees for
4 services provided to Nationally Recognized Testing Lab-
5 oratories, and may utilize such sums, in accordance with
6 the provisions of 29 U.S.C. 9a, to administer national and
7 international laboratory recognition programs that ensure
8 the safety of equipment and products used by workers in
9 the workplace: *Provided further*, That none of the funds
10 appropriated under this paragraph shall be obligated or
11 expended to prescribe, issue, administer, or enforce any
12 standard, rule, regulation, or order under the Act which
13 is applicable to any person who is engaged in a farming
14 operation which does not maintain a temporary labor
15 camp and employs 10 or fewer employees: *Provided fur-*
16 *ther*, That no funds appropriated under this paragraph
17 shall be obligated or expended to administer or enforce
18 any standard, rule, regulation, or order under the Act with
19 respect to any employer of 10 or fewer employees who is
20 included within a category having a Days Away, Re-
21 stricted, or Transferred (“DART”) occupational injury
22 and illness rate, at the most precise industrial classifica-
23 tion code for which such data are published, less than the
24 national average rate as such rates are most recently pub-
25 lished by the Secretary, acting through the Bureau of

1 Labor Statistics, in accordance with section 24 of the Act,
2 except—

3 (1) to provide, as authorized by the Act, con-
4 sultation, technical assistance, educational and train-
5 ing services, and to conduct surveys and studies;

6 (2) to conduct an inspection or investigation in
7 response to an employee complaint, to issue a cita-
8 tion for violations found during such inspection, and
9 to assess a penalty for violations which are not cor-
10 rected within a reasonable abatement period and for
11 any willful violations found;

12 (3) to take any action authorized by the Act
13 with respect to imminent dangers;

14 (4) to take any action authorized by the Act
15 with respect to health hazards;

16 (5) to take any action authorized by the Act
17 with respect to a report of an employment accident
18 which is fatal to one or more employees or which re-
19 sults in hospitalization of two or more employees,
20 and to take any action pursuant to such investiga-
21 tion authorized by the Act; and

22 (6) to take any action authorized by the Act
23 with respect to complaints of discrimination against
24 employees for exercising rights under the Act:

1 *Provided further*, That the foregoing proviso shall not
2 apply to any person who is engaged in a farming operation
3 which does not maintain a temporary labor camp and em-
4 ploys 10 or fewer employees: *Provided further*, That
5 \$11,537,000 shall be available for Susan Harwood train-
6 ing grants, of which not less than \$4,500,000 is for Susan
7 Harwood Training Capacity Building Developmental
8 grants, as described in Funding Opportunity Number
9 SHTG–FY–16–02 (referenced in the notice of availability
10 of funds published in the Federal Register on May 3, 2016
11 (81 Fed. Reg. 30568)) for program activities starting not
12 later than September 30, 2020 and lasting for a period
13 of 12 months: *Provided further*, That not less than
14 \$3,500,000 shall be for Voluntary Protection Programs.

15 MINE SAFETY AND HEALTH ADMINISTRATION

16 SALARIES AND EXPENSES

17 For necessary expenses for the Mine Safety and
18 Health Administration, \$379,816,000, including purchase
19 and bestowal of certificates and trophies in connection
20 with mine rescue and first-aid work, and the hire of pas-
21 senger motor vehicles, including up to \$2,000,000 for
22 mine rescue and recovery activities and not less than
23 \$10,537,000 for State assistance grants: *Provided*, That
24 notwithstanding 31 U.S.C. 3302, not to exceed \$750,000
25 may be collected by the National Mine Health and Safety

1 Academy for room, board, tuition, and the sale of training
2 materials, otherwise authorized by law to be collected, to
3 be available for mine safety and health education and
4 training activities: *Provided further*, That notwithstanding
5 31 U.S.C. 3302, the Mine Safety and Health Administra-
6 tion is authorized to collect and retain up to \$2,499,000
7 from fees collected for the approval and certification of
8 equipment, materials, and explosives for use in mines, and
9 may utilize such sums for such activities: *Provided further*,
10 That the Secretary is authorized to accept lands, build-
11 ings, equipment, and other contributions from public and
12 private sources and to prosecute projects in cooperation
13 with other agencies, Federal, State, or private: *Provided*
14 *further*, That the Mine Safety and Health Administration
15 is authorized to promote health and safety education and
16 training in the mining community through cooperative
17 programs with States, industry, and safety associations:
18 *Provided further*, That the Secretary is authorized to rec-
19 ognize the Joseph A. Holmes Safety Association as a prin-
20 cipal safety association and, notwithstanding any other
21 provision of law, may provide funds and, with or without
22 reimbursement, personnel, including service of Mine Safe-
23 ty and Health Administration officials as officers in local
24 chapters or in the national organization: *Provided further*,
25 That any funds available to the Department of Labor may

1 be used, with the approval of the Secretary, to provide
2 for the costs of mine rescue and survival operations in the
3 event of a major disaster.

4 BUREAU OF LABOR STATISTICS

5 SALARIES AND EXPENSES

6 For necessary expenses for the Bureau of Labor Sta-
7 tistics, including advances or reimbursements to State,
8 Federal, and local agencies and their employees for serv-
9 ices rendered, \$587,000,000, together with not to exceed
10 \$68,000,000 which may be expended from the Employ-
11 ment Security Administration account in the Unemploy-
12 ment Trust Fund.

13 Within this amount, \$27,000,000 to remain available
14 until September 30, 2024, for costs associated with the
15 physical move of the Bureau of Labor Statistics' head-
16 quarters, including replication of space, furniture, fix-
17 tures, equipment, and related costs, as well as relocation
18 of the data center to a shared facility.

19 OFFICE OF DISABILITY EMPLOYMENT POLICY

20 SALARIES AND EXPENSES

21 For necessary expenses for the Office of Disability
22 Employment Policy to provide leadership, develop policy
23 and initiatives, and award grants furthering the objective
24 of eliminating barriers to the training and employment of
25 people with disabilities, \$38,500,000.

1 DEPARTMENTAL MANAGEMENT

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses for Departmental Manage-
5 ment, including the hire of three passenger motor vehicles,
6 \$348,056,000, together with not to exceed \$308,000,
7 which may be expended from the Employment Security
8 Administration account in the Unemployment Trust
9 Fund: *Provided*, That \$67,325,000 for the Bureau of
10 International Labor Affairs shall be available for obliga-
11 tion through December 31, 2020: *Provided further*, That
12 funds available to the Bureau of International Labor Af-
13 fairs may be used to administer or operate international
14 labor activities, bilateral and multilateral technical assist-
15 ance, and microfinance programs, by or through contracts,
16 grants, subgrants and other arrangements: *Provided fur-*
17 *ther*, That not more than \$53,825,000 shall be for pro-
18 grams to combat exploitative child labor internationally
19 and not less than \$13,500,000 shall be used to implement
20 model programs that address worker rights issues through
21 technical assistance in countries with which the United
22 States has free trade agreements or trade preference pro-
23 grams: *Provided further*, That \$8,040,000 shall be used
24 for program evaluation and shall be available for obliga-
25 tion through September 30, 2021: *Provided further*, That

1 funds available for program evaluation may be used to ad-
2 minister grants for the purpose of evaluation: *Provided*
3 *further*, That grants made for the purpose of evaluation
4 shall be awarded through fair and open competition: *Pro-*
5 *vided further*, That funds available for program evaluation
6 may be transferred to any other appropriate account in
7 the Department for such purpose: *Provided further*, That
8 the Committees on Appropriations of the House of Rep-
9 resentatives and the Senate are notified at least 15 days
10 in advance of any transfer: *Provided further*, That the
11 funds available to the Women’s Bureau may be used for
12 grants to serve and promote the interests of women in the
13 workforce: *Provided further*, That of the amounts made
14 available to the Women’s Bureau, not less than
15 \$1,294,000 shall be used for grants authorized by the
16 Women in Apprenticeship and Nontraditional Occupations
17 Act.

18 VETERANS EMPLOYMENT AND TRAINING

19 Not to exceed \$256,341,000 may be derived from the
20 Employment Security Administration account in the Un-
21 employment Trust Fund to carry out the provisions of
22 chapters 41, 42, and 43 of title 38, United States Code,
23 of which:

24 (1) \$180,000,000 is for Jobs for Veterans State
25 grants under 38 U.S.C. 4102A(b)(5) to support dis-

1 abled veterans’ outreach program specialists under
2 section 4103A of such title and local veterans’ em-
3 ployment representatives under section 4104(b) of
4 such title, and for the expenses described in section
5 4102A(b)(5)(C), which shall be available for obliga-
6 tion by the States through December 31, 2020, and
7 not to exceed 3 percent for the necessary Federal ex-
8 penditures for data systems and contract support to
9 allow for the tracking of participant and perform-
10 ance information: *Provided*, That, in addition, such
11 funds may be used to support such specialists and
12 representatives in the provision of services to
13 transitioning members of the Armed Forces who
14 have participated in the Transition Assistance Pro-
15 gram and have been identified as in need of inten-
16 sive services, to members of the Armed Forces who
17 are wounded, ill, or injured and receiving treatment
18 in military treatment facilities or warrior transition
19 units, and to the spouses or other family caregivers
20 of such wounded, ill, or injured members;

21 (2) \$29,379,000 is for carrying out the Transi-
22 tion Assistance Program under 38 U.S.C. 4113 and
23 10 U.S.C. 1144;

24 (3) \$43,548,000 is for Federal administration
25 of chapters 41, 42, and 43 of title 38, and sections

1 2021, 2021A and 2023 of title 38, United States
2 Code: *Provided*, That, up to \$500,000 may be used
3 to carry out the Hire VETS Act (division O of Pub-
4 lic Law 115–31); and

5 (4) \$3,414,000 is for the National Veterans’
6 Employment and Training Services Institute under
7 38 U.S.C. 4109:

8 *Provided*, That the Secretary may reallocate among the
9 appropriations provided under paragraphs (1) through (4)
10 above an amount not to exceed 3 percent of the appropria-
11 tion from which such reallocation is made.

12 In addition, from the General Fund of the Treasury,
13 \$55,000,000 is for carrying out programs to assist home-
14 less veterans and veterans at risk of homelessness who are
15 transitioning from certain institutions under sections
16 2021, 2021A, and 2023 of title 38, United States Code:
17 *Provided*, That notwithstanding subsections (c)(3) and (d)
18 of section 2023, the Secretary may award grants through
19 September 30, 2020, to provide services under such sec-
20 tion: *Provided further*, That services provided under sec-
21 tions 2021 or under 2021A may include, in addition to
22 services to homeless veterans described in section
23 2002(a)(1), services to veterans who were homeless at
24 some point within the 60 days prior to program entry or
25 veterans who are at risk of homelessness within the next

1 60 days, and that services provided under section 2023
2 may include, in addition to services to the individuals de-
3 scribed in subsection (e) of such section, services to vet-
4 erans recently released from incarceration who are at risk
5 of homelessness: *Provided further*, That notwithstanding
6 paragraph (3) under this heading, funds appropriated in
7 this paragraph may be used for data systems and contract
8 support to allow for the tracking of participant and per-
9 formance information: *Provided further*, That notwith-
10 standing sections 2021(e)(2) and 2021A(f)(2) of title 38,
11 United States Code, such funds shall be available for ex-
12 penditure pursuant to 31 U.S.C. 1553.

13 In addition, fees may be assessed and deposited in
14 the HIRE Vets Medallion Award Fund pursuant to sec-
15 tion 5(b) of the HIRE Vets Act, and such amounts shall
16 be available to the Secretary to carry out the HIRE Vets
17 Medallion Award Program, as authorized by such Act, and
18 shall remain available until expended: *Provided*, That such
19 sums shall be in addition to any other funds available for
20 such purposes, including funds available under paragraph
21 (3) of this heading: *Provided further*, That section 2(d)
22 of division O of the Consolidated Appropriations Act, 2017
23 (Public Law 115–31; 38 U.S.C. 4100 note) shall not
24 apply.

1 IT MODERNIZATION

2 For necessary expenses for Department of Labor cen-
3 tralized infrastructure technology investment activities re-
4 lated to support systems and modernization, \$25,269,000,
5 which shall be available through September 30, 2021.

6 OFFICE OF INSPECTOR GENERAL

7 For salaries and expenses of the Office of Inspector
8 General in carrying out the provisions of the Inspector
9 General Act of 1978, \$85,187,000, together with not to
10 exceed \$5,660,000 which may be expended from the Em-
11 ployment Security Administration account in the Unem-
12 ployment Trust Fund.

13 GENERAL PROVISIONS

14 SEC. 101. None of the funds appropriated by this Act
15 for the Job Corps shall be used to pay the salary and bo-
16 nuses of an individual, either as direct costs or any prora-
17 tion as an indirect cost, at a rate in excess of Executive
18 Level II.

19 (TRANSFER OF FUNDS)

20 SEC. 102. Not to exceed 1 percent of any discre-
21 tionary funds (pursuant to the Balanced Budget and
22 Emergency Deficit Control Act of 1985) which are appro-
23 priated for the current fiscal year for the Department of
24 Labor in this Act may be transferred between a program,
25 project, or activity, but no such program, project, or activ-

1 ity shall be increased by more than 3 percent by any such
2 transfer: *Provided*, That the transfer authority granted by
3 this section shall not be used to create any new program
4 or to fund any project or activity for which no funds are
5 provided in this Act: *Provided further*, That the Commit-
6 tees on Appropriations of the House of Representatives
7 and the Senate are notified at least 15 days in advance
8 of any transfer.

9 SEC. 103. In accordance with Executive Order
10 13126, none of the funds appropriated or otherwise made
11 available pursuant to this Act shall be obligated or ex-
12 pended for the procurement of goods mined, produced,
13 manufactured, or harvested or services rendered, in whole
14 or in part, by forced or indentured child labor in industries
15 and host countries already identified by the United States
16 Department of Labor prior to enactment of this Act.

17 SEC. 104. Except as otherwise provided in this sec-
18 tion, none of the funds made available to the Department
19 of Labor for grants under section 414(c) of the American
20 Competitiveness and Workforce Improvement Act of 1998
21 (29 U.S.C. 2916a) may be used for any purpose other
22 than competitive grants for training individuals who are
23 older than 16 years of age and are not currently enrolled
24 in school within a local educational agency in the occupa-
25 tions and industries for which employers are using H-1B

1 determined that those services will be more efficiently per-
2 formed by Federal employees: *Provided*, That this section
3 shall not apply to section 171 of the WIOA.

4 (b) Notwithstanding section 102, the Secretary may
5 transfer not more than 0.5 percent of each discretionary
6 appropriation made available to the Employment and
7 Training Administration by this Act to “Program Admin-
8 istration” in order to carry out program integrity activities
9 relating to any of the programs or activities that are fund-
10 ed under any such discretionary appropriations: *Provided*,
11 That notwithstanding section 102 and the preceding pro-
12 viso, the Secretary may transfer not more than 0.5 percent
13 of funds made available in paragraphs (1) and (2) of the
14 “Office of Job Corps” account to paragraph (3) of such
15 account to carry out program integrity activities related
16 to the Job Corps program: *Provided further*, That funds
17 transferred under the authority provided by this sub-
18 section shall be available for obligation through September
19 30, 2021.

20 (TRANSFER OF FUNDS)

21 SEC. 107. (a) The Secretary may reserve not more
22 than 0.75 percent from each appropriation made available
23 in this Act identified in subsection (b) in order to carry
24 out evaluations of any of the programs or activities that
25 are funded under such accounts. Any funds reserved under

1 this section shall be transferred to “Departmental Man-
2 agement” for use by the Office of the Chief Evaluation
3 Officer within the Department of Labor, and shall be
4 available for obligation through September 30, 2021: *Pro-*
5 *vided*, That such funds shall only be available if the Chief
6 Evaluation Officer of the Department of Labor submits
7 a plan to the Committees on Appropriations of the House
8 of Representatives and the Senate describing the evalua-
9 tions to be carried out 15 days in advance of any transfer.

10 (b) The accounts referred to in subsection (a) are:
11 “Training and Employment Services”, “Job Corps”,
12 “Community Service Employment for Older Americans”,
13 “State Unemployment Insurance and Employment Service
14 Operations”, “Employee Benefits Security Administra-
15 tion”, “Office of Workers’ Compensation Programs”,
16 “Wage and Hour Division”, “Office of Federal Contract
17 Compliance Programs”, “Office of Labor Management
18 Standards”, “Occupational Safety and Health Adminis-
19 tration”, “Mine Safety and Health Administration”, “Of-
20 fice of Disability Employment Policy”, funding made
21 available to the “Bureau of International Labor Affairs”
22 and “Women’s Bureau” within the “Departmental Man-
23 agement, Salaries and Expenses” account, and “Veterans
24 Employment and Training”.

1 SEC. 108. (a) Section 7 of the Fair Labor Standards
2 Act of 1938 (29 U.S.C. 207) shall be applied as if the
3 following text is part of such section:

4 “(s)(1) The provisions of this section shall not apply
5 for a period of 2 years after the occurrence of a major
6 disaster to any employee—

7 “(A) employed to adjust or evaluate claims re-
8 sulting from or relating to such major disaster, by
9 an employer not engaged, directly or through an af-
10 filiate, in underwriting, selling, or marketing prop-
11 erty, casualty, or liability insurance policies or con-
12 tracts;

13 “(B) who receives from such employer on aver-
14 age weekly compensation of not less than \$591.00
15 per week or any minimum weekly amount estab-
16 lished by the Secretary, whichever is greater, for the
17 number of weeks such employee is engaged in any
18 of the activities described in subparagraph (C); and

19 “(C) whose duties include any of the following:

20 “(i) interviewing insured individuals, indi-
21 viduals who suffered injuries or other damages
22 or losses arising from or relating to a disaster,
23 witnesses, or physicians;

1 “(ii) inspecting property damage or review-
2 ing factual information to prepare damage esti-
3 mates;

4 “(iii) evaluating and making recommenda-
5 tions regarding coverage or compensability of
6 claims or determining liability or value aspects
7 of claims;

8 “(iv) negotiating settlements; or

9 “(v) making recommendations regarding
10 litigation.

11 “(2) The exemption in this subsection shall not affect
12 the exemption provided by section 13(a)(1).

13 “(3) For purposes of this subsection—

14 “(A) the term ‘major disaster’ means any dis-
15 aster or catastrophe declared or designated by any
16 State or Federal agency or department;

17 “(B) the term ‘employee employed to adjust or
18 evaluate claims resulting from or relating to such
19 major disaster’ means an individual who timely se-
20 cured or secures a license required by applicable law
21 to engage in and perform the activities described in
22 clauses (i) through (v) of paragraph (1)(C) relating
23 to a major disaster, and is employed by an employer
24 that maintains worker compensation insurance cov-
25 erage or protection for its employees, if required by

1 applicable law, and withholds applicable Federal,
2 State, and local income and payroll taxes from the
3 wages, salaries and any benefits of such employees;
4 and

5 “(C) the term ‘affiliate’ means a company that,
6 by reason of ownership or control of 25 percent or
7 more of the outstanding shares of any class of voting
8 securities of one or more companies, directly or indi-
9 rectly, controls, is controlled by, or is under common
10 control with, another company.”.

11 (b) This section shall be effective on the date of en-
12 actment of this Act.

13 SEC. 109. (a) FLEXIBILITY WITH RESPECT TO THE
14 CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE
15 SEAFOOD INDUSTRY.—

16 (1) IN GENERAL.—Subject to paragraph (2), if
17 a petition for H-2B nonimmigrants filed by an em-
18 ployer in the seafood industry is granted, the em-
19 ployer may bring the nonimmigrants described in
20 the petition into the United States at any time dur-
21 ing the 120-day period beginning on the start date
22 for which the employer is seeking the services of the
23 nonimmigrants without filing another petition.

24 (2) REQUIREMENTS FOR CROSSINGS AFTER
25 90TH DAY.—An employer in the seafood industry

1 may not bring H–2B nonimmigrants into the United
2 States after the date that is 90 days after the start
3 date for which the employer is seeking the services
4 of the nonimmigrants unless the employer—

5 (A) completes a new assessment of the
6 local labor market by—

7 (i) listing job orders in local news-
8 papers on 2 separate Sundays; and

9 (ii) posting the job opportunity on the
10 appropriate Department of Labor Elec-
11 tronic Job Registry and at the employer’s
12 place of employment; and

13 (B) offers the job to an equally or better
14 qualified United States worker who—

15 (i) applies for the job; and

16 (ii) will be available at the time and
17 place of need.

18 (3) EXEMPTION FROM RULES WITH RESPECT
19 TO STAGGERING.—The Secretary of Labor shall not
20 consider an employer in the seafood industry who
21 brings H–2B nonimmigrants into the United States
22 during the 120-day period specified in paragraph (1)
23 to be staggering the date of need in violation of sec-
24 tion 655.20(d) of title 20, Code of Federal Regula-
25 tions, or any other applicable provision of law.

1 (b) H-2B NONIMMIGRANTS DEFINED.—In this sec-
2 tion, the term “H-2B nonimmigrants” means aliens ad-
3 mitted to the United States pursuant to section
4 101(a)(15)(H)(ii)(B) of the Immigration and Nationality
5 Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

6 SEC. 110. The determination of prevailing wage for
7 the purposes of the H-2B program shall be the greater
8 of—(1) the actual wage level paid by the employer to other
9 employees with similar experience and qualifications for
10 such position in the same location; or (2) the prevailing
11 wage level for the occupational classification of the posi-
12 tion in the geographic area in which the H-2B non-
13 immigrant will be employed, based on the best information
14 available at the time of filing the petition. In the deter-
15 mination of prevailing wage for the purposes of the H-
16 2B program, the Secretary shall accept private wage sur-
17 veys even in instances where Occupational Employment
18 Statistics survey data are available unless the Secretary
19 determines that the methodology and data in the provided
20 survey are not statistically supported.

21 SEC. 111. None of the funds in this Act shall be used
22 to enforce the definition of corresponding employment
23 found in 20 CFR 655.5 or the three-fourths guarantee
24 rule definition found in 20 CFR 655.20, or any references
25 thereto. Further, for the purpose of regulating admission

1 of temporary workers under the H-2B program, the defi-
2 nition of temporary need shall be that provided in 8 CFR
3 214.2(h)(6)(ii)(B).

4 SEC. 112. Notwithstanding any other provision of
5 law, the Secretary may furnish through grants, coopera-
6 tive agreements, contracts, and other arrangements, up to
7 \$2,000,000 of excess personal property, at a value deter-
8 mined by the Secretary, to apprenticeship programs for
9 the purpose of training apprentices in those programs.

10 SEC. 113. (a) The Act entitled “An Act to create a
11 Department of Labor”, approved March 4, 1913 (37 Stat.
12 736, chapter 141) shall be applied as if the following text
13 is part of such Act:

14 **“SEC. 12. SECURITY DETAIL.**

15 “(a) IN GENERAL.—The Secretary of Labor is au-
16 thorized to employ law enforcement officers or special
17 agents to—

18 “(1) provide protection for the Secretary of
19 Labor during the workday of the Secretary and dur-
20 ing any activity that is preliminary or postliminary
21 to the performance of official duties by the Sec-
22 retary;

23 “(2) provide protection, incidental to the protec-
24 tion provided to the Secretary, to a member of the
25 immediate family of the Secretary who is partici-

1 pating in an activity or event relating to the official
2 duties of the Secretary;

3 “(3) provide continuous protection to the Sec-
4 retary (including during periods not described in
5 paragraph (1)) and to the members of the imme-
6 diate family of the Secretary if there is a unique and
7 articulable threat of physical harm, in accordance
8 with guidelines established by the Secretary; and

9 “(4) provide protection to the Deputy Secretary
10 of Labor or another senior officer representing the
11 Secretary of Labor at a public event if there is a
12 unique and articulable threat of physical harm, in
13 accordance with guidelines established by the Sec-
14 retary.

15 “(b) **AUTHORITIES.**—The Secretary of Labor may
16 authorize a law enforcement officer or special agent em-
17 ployed under subsection (a), for the purpose of performing
18 the duties authorized under subsection (a), to—

19 “(1) carry firearms;

20 “(2) make arrests without a warrant for any of-
21 fense against the United States committed in the
22 presence of such officer or special agent;

23 “(3) perform protective intelligence work, in-
24 cluding identifying and mitigating potential threats

1 and conducting advance work to review security mat-
2 ters relating to sites and events;

3 “(4) coordinate with local law enforcement
4 agencies; and

5 “(5) initiate criminal and other investigations
6 into potential threats to the security of the Sec-
7 retary, in coordination with the Inspector General of
8 the Department of Labor.

9 “(c) COMPLIANCE WITH GUIDELINES.—A law en-
10 forcement officer or special agent employed under sub-
11 section (a) shall exercise any authority provided under this
12 section in accordance with any—

13 “(1) guidelines issued by the Attorney General;
14 and

15 “(2) guidelines prescribed by the Secretary of
16 Labor.”.

17 (b) This section shall be effective on the date of en-
18 actment of this Act.

19 SEC. 114. The Secretary is authorized to dispose of
20 or divest, by any means the Secretary determines appro-
21 priate, including an agreement or partnership to construct
22 a new Job Corps center, all or a portion of the real prop-
23 erty on which the Treasure Island Job Corps Center is
24 situated. Any sale or other disposition will not be subject
25 to any requirement of any Federal law or regulation relat-

1 ing to the disposition of Federal real property, including
2 but not limited to subchapter III of chapter 5 of title 40
3 of the United States Code and subchapter V of chapter
4 119 of title 42 of the United States Code. The net pro-
5 ceeds of such a sale shall be transferred to the Secretary,
6 which shall be available until expended to carry out the
7 Job Corps Program on Treasure Island.

8 (RESCISSION)

9 SEC. 115. Of the unobligated funds available under
10 section 286(s)(2) of the Immigration and Nationality Act
11 (8 U.S.C. 1356(s)(2)), \$150,000,000 are hereby re-
12 scinded.

13 SEC. 116. Funds made available in prior Acts under
14 the heading “Department of Labor—Employment and
15 Training Administration—State Unemployment Insur-
16 ance and Employment Service Operations” for fiscal years
17 2015 through 2019 for automation acquisitions that are
18 being carried out through consortia of States shall be
19 available for expenditure for 6 fiscal years after the final
20 fiscal year that such funds are available to incur new obli-
21 gations.

22 SEC. 117. None of the funds made available by this
23 Act may be used to—

24 (1) alter or terminate the Interagency Agree-
25 ment between the United States Department of

1 Labor and the United States Department of Agri-
2 culture; or

3 (2) close any of the Civilian Conservation Cen-
4 ters, except if such closure is necessary to prevent
5 the endangerment of the health and safety of the
6 students, the capacity of the program is retained,
7 and the requirements of section 159(j) of the Work-
8 force Innovation and Opportunity Act are met.

9 This title may be cited as the “Department of Labor
10 Appropriations Act, 2020”.

1 TITLE II
2 DEPARTMENT OF HEALTH AND HUMAN
3 SERVICES
4 HEALTH RESOURCES AND SERVICES ADMINISTRATION
5 PRIMARY HEALTH CARE

6 For carrying out titles II and III of the Public Health
7 Service Act (referred to in this Act as the “PHS Act”) *with respect to primary health care and the Native Hawai-
8 ian Health Care Act of 1988, \$1,626,522,000: Provided,*
9 *That no more than \$1,000,000 shall be available until ex-
10 pended for carrying out the provisions of section 224(o)*
11 *of the PHS Act: Provided further, That no more than*
12 *\$120,000,000 shall be available until expended for car-
13 rying out subsections (g) through (n) and (q) of section*
14 *224 of the PHS Act, and for expenses incurred by the*
15 *Department of Health and Human Services (referred to*
16 *in this Act as “HHS”) pertaining to administrative claims*
17 *made under such law.*

19 HEALTH WORKFORCE

20 For carrying out titles III, VII, and VIII of the PHS
21 Act with respect to the health workforce, sections 1128E
22 and 1921 of the Social Security Act, and the Health Care
23 Quality Improvement Act of 1986, \$1,194,506,000, of
24 which \$138,916,000 shall remain available through Sep-
25 tember 30, 2021 to carry out sections 750, 755, 756, 760,

1 781, and 791 of the PHS Act: *Provided*, That sections
2 751(j)(2) and 762(k) of the PHS Act and the proportional
3 funding amounts in paragraphs (1) through (4) of section
4 756(f) of the PHS Act shall not apply to funds made avail-
5 able under this heading: *Provided further*, That for any
6 program operating under section 751 of the PHS Act on
7 or before January 1, 2009, the Secretary of Health and
8 Human Services (referred to in this title as the “Sec-
9 retary”) may hereafter waive any of the requirements con-
10 tained in sections 751(d)(2)(A) and 751(d)(2)(B) of such
11 Act for the full project period of a grant under such sec-
12 tion: *Provided further*, That no funds shall be available
13 for section 340G–1 of the PHS Act: *Provided further*,
14 That fees collected for the disclosure of information under
15 section 427(b) of the Health Care Quality Improvement
16 Act of 1986 and sections 1128E(d)(2) and 1921 of the
17 Social Security Act shall be sufficient to recover the full
18 costs of operating the programs authorized by such sec-
19 tions and shall remain available until expended for the Na-
20 tional Practitioner Data Bank: *Provided further*, That
21 funds transferred to this account to carry out section 846
22 and subpart 3 of part D of title III of the PHS Act may
23 be used to make prior year adjustments to awards made
24 under such section and subpart: *Provided further*, That
25 \$120,000,000 shall remain available until expended for

1 the purposes of providing primary health services, assign-
2 ing National Health Service Corps (“NHSC”) members
3 to expand the delivery of substance use disorder treatment
4 services, notwithstanding the assignment priorities and
5 limitations under sections 333(a)(1)(D), 333(b), and
6 333A(a)(1)(B)(ii) of the PHS Act, and making payments
7 under the NHSC Loan Repayment Program under section
8 338B of such Act: *Provided further*, That, within the
9 amount made available in the previous proviso,
10 \$15,000,000 shall remain available until expended for the
11 purposes of making payments under the NHSC Loan Re-
12 payment Program under section 338B of the PHS Act
13 to individuals participating in such program who provide
14 primary health services in Indian Health Service facilities,
15 Tribally-Operated 638 Health Programs, and Urban In-
16 dian Health Programs (as those terms are defined by the
17 Secretary), notwithstanding the assignment priorities and
18 limitations under section 333(b) of such Act: *Provided fur-*
19 *ther*, That for purposes of the previous two provisos, sec-
20 tion 331(a)(3)(D) of the PHS Act shall be applied as if
21 the term “primary health services” includes clinical sub-
22 stance use disorder treatment services, including those
23 provided by masters level, licensed substance use disorder
24 treatment counselors: *Provided further*, That of the funds
25 made available under this heading, \$5,000,000 shall be

1 available to make grants to establish or expand optional
2 community-based nurse practitioner fellowship programs
3 that are accredited or in the accreditation process, with
4 a preference for those in Federally Qualified Health Cen-
5 ters, for practicing postgraduate nurse practitioners in
6 primary care or behavioral health.

7 Of the funds made available under this heading,
8 \$50,000,000 shall remain available until expended for
9 grants to public institutions of higher education to expand
10 or support graduate education for physicians provided by
11 such institutions: *Provided*, That, in awarding such
12 grants, the Secretary shall give priority to public institu-
13 tions of higher education located in States with a projected
14 primary care provider shortage in 2025, as determined by
15 the Secretary: *Provided further*, That grants so awarded
16 are limited to such public institutions of higher education
17 in States in the top quintile of States with a projected
18 primary care provider shortage in 2025, as determined by
19 the Secretary: *Provided further*, That the minimum
20 amount of a grant so awarded to such an institution shall
21 be not less than \$1,000,000 per year: *Provided further*,
22 That such a grant may be awarded for a period not to
23 exceed 5 years: *Provided further*, That such a grant award-
24 ed with respect to a year to such an institution shall be
25 subject to a matching requirement of non-Federal funds

1 in an amount that is not less than 10 percent of the total
2 amount of Federal funds provided in the grant to such
3 institution with respect to such year.

4 MATERNAL AND CHILD HEALTH

5 For carrying out titles III, XI, XII, and XIX of the
6 PHS Act with respect to maternal and child health and
7 title V of the Social Security Act, \$943,784,000: *Provided*,
8 That notwithstanding sections 502(a)(1) and 502(b)(1) of
9 the Social Security Act, not more than \$119,116,000 shall
10 be available for carrying out special projects of regional
11 and national significance pursuant to section 501(a)(2) of
12 such Act and \$10,276,000 shall be available for projects
13 described in subparagraphs (A) through (F) of section
14 501(a)(3) of such Act.

15 RYAN WHITE HIV/AIDS PROGRAM

16 For carrying out title XXVI of the PHS Act with
17 respect to the Ryan White HIV/AIDS program,
18 \$2,388,781,000, of which \$1,970,881,000 shall remain
19 available to the Secretary through September 30, 2022,
20 for parts A and B of title XXVI of the PHS Act, and
21 of which not less than \$900,313,000 shall be for State
22 AIDS Drug Assistance Programs under the authority of
23 section 2616 or 311(c) of such Act; and of which
24 \$70,000,000, to remain available until expended, shall be
25 available to the Secretary for carrying out a program of

1 grants and contracts under title XXVI or section 311(c)
2 of such Act focused on ending the nationwide HIV/AIDS
3 epidemic, with any grants issued under such section
4 311(c) administered in conjunction with title XXVI of the
5 PHS Act, including the limitation on administrative ex-
6 penses.

7 HEALTH CARE SYSTEMS

8 For carrying out titles III and XII of the PHS Act
9 with respect to health care systems, and the Stem Cell
10 Therapeutic and Research Act of 2005, \$123,593,000, of
11 which \$122,000 shall be available until expended for facili-
12 ties renovations at the Gillis W. Long Hansen's Disease
13 Center.

14 RURAL HEALTH

15 For carrying out titles III and IV of the PHS Act
16 with respect to rural health, section 427(a) of the Federal
17 Coal Mine Health and Safety Act of 1969, and sections
18 711 and 1820 of the Social Security Act, \$318,294,000,
19 of which \$53,609,000 from general revenues, notwith-
20 standing section 1820(j) of the Social Security Act, shall
21 be available for carrying out the Medicare rural hospital
22 flexibility grants program: *Provided*, That of the funds
23 made available under this heading for Medicare rural hos-
24 pital flexibility grants, \$19,942,000 shall be available for
25 the Small Rural Hospital Improvement Grant Program

1 for quality improvement and adoption of health informa-
2 tion technology and up to \$1,000,000 shall be to carry
3 out section 1820(g)(6) of the Social Security Act, with
4 funds provided for grants under section 1820(g)(6) avail-
5 able for the purchase and implementation of telehealth
6 services, including pilots and demonstrations on the use
7 of electronic health records to coordinate rural veterans
8 care between rural providers and the Department of Vet-
9 erans Affairs electronic health record system: *Provided*
10 *further*, That notwithstanding section 338J(k) of the PHS
11 Act, \$12,500,000 shall be available for State Offices of
12 Rural Health: *Provided further*, That \$10,000,000 shall
13 remain available through September 30, 2022, to support
14 the Rural Residency Development Program: *Provided fur-*
15 *ther*, That \$110,000,000 shall be for the Rural Commu-
16 nities Opioids Response Program.

17

FAMILY PLANNING

18 For carrying out the program under title X of the
19 PHS Act to provide for voluntary family planning
20 projects, \$286,479,000: *Provided*, That amounts provided
21 to said projects under such title shall not be expended for
22 abortions, that all pregnancy counseling shall be nondirec-
23 tive, and that such amounts shall not be expended for any
24 activity (including the publication or distribution of lit-
25 erature) that in any way tends to promote public support

1 or opposition to any legislative proposal or candidate for
2 public office.

3 PROGRAM MANAGEMENT

4 For program support in the Health Resources and
5 Services Administration, \$155,300,000: *Provided*, That
6 funds made available under this heading may be used to
7 supplement program support funding provided under the
8 headings “Primary Health Care”, “Health Workforce”,
9 “Maternal and Child Health”, “Ryan White HIV/AIDS
10 Program”, “Health Care Systems”, and “Rural Health”.

11 VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

12 For payments from the Vaccine Injury Compensation
13 Program Trust Fund (the “Trust Fund”), such sums as
14 may be necessary for claims associated with vaccine-re-
15 lated injury or death with respect to vaccines administered
16 after September 30, 1988, pursuant to subtitle 2 of title
17 XXI of the PHS Act, to remain available until expended:
18 *Provided*, That for necessary administrative expenses, not
19 to exceed \$10,200,000 shall be available from the Trust
20 Fund to the Secretary.

21 CENTERS FOR DISEASE CONTROL AND PREVENTION

22 IMMUNIZATION AND RESPIRATORY DISEASES

23 For carrying out titles II, III, XVII, and XXI, and
24 section 2821 of the PHS Act, titles II and IV of the Immi-
25 gration and Nationality Act, and section 501 of the Ref-

1 Refugee Education Assistance Act, with respect to immuniza-
2 tion and respiratory diseases, \$433,105,000.

3 HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED
4 DISEASES, AND TUBERCULOSIS PREVENTION

5 For carrying out titles II, III, XVII, and XXIII of
6 the PHS Act with respect to HIV/AIDS, viral hepatitis,
7 sexually transmitted diseases, and tuberculosis prevention,
8 \$1,273,556,000.

9 EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

10 For carrying out titles II, III, and XVII, and section
11 2821 of the PHS Act, titles II and IV of the Immigration
12 and Nationality Act, and section 501 of the Refugee Edu-
13 cation Assistance Act, with respect to emerging and
14 zoonotic infectious diseases, \$570,372,000.

15 CHRONIC DISEASE PREVENTION AND HEALTH
16 PROMOTION

17 For carrying out titles II, III, XI, XV, XVII, and
18 XIX of the PHS Act with respect to chronic disease pre-
19 vention and health promotion, \$984,964,000: *Provided*,
20 That funds made available under this heading may be
21 available for making grants under section 1509 of the
22 PHS Act for not less than 21 States, tribes, or tribal orga-
23 nizations: *Provided further*, That of the funds made avail-
24 able under this heading, \$15,000,000 shall be available to
25 continue and expand community specific extension and

1 outreach programs to combat obesity in counties with the
2 highest levels of obesity: *Provided further*, That the pro-
3 portional funding requirements under section 1503(a) of
4 the PHS Act shall not apply to funds made available
5 under this heading.

6 BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES,

7 DISABILITIES AND HEALTH

8 For carrying out titles II, III, XI, and XVII of the
9 PHS Act with respect to birth defects, developmental dis-
10 abilities, disabilities and health, \$160,810,000.

11 PUBLIC HEALTH SCIENTIFIC SERVICES

12 For carrying out titles II, III, and XVII of the PHS
13 Act with respect to health statistics, surveillance, health
14 informatics, and workforce development, \$555,497,000.

15 ENVIRONMENTAL HEALTH

16 For carrying out titles II, III, and XVII of the PHS
17 Act with respect to environmental health, \$196,850,000.

18 INJURY PREVENTION AND CONTROL

19 For carrying out titles II, III, and XVII of the PHS
20 Act with respect to injury prevention and control,
21 \$677,379,000.

22 NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND

23 HEALTH

24 For carrying out titles II, III, and XVII of the PHS
25 Act, sections 101, 102, 103, 201, 202, 203, 301, and 501

1 of the Federal Mine Safety and Health Act, section 13
2 of the Mine Improvement and New Emergency Response
3 Act, and sections 20, 21, and 22 of the Occupational Safe-
4 ty and Health Act, with respect to occupational safety and
5 health, \$342,800,000.

6 ENERGY EMPLOYEES OCCUPATIONAL ILLNESS

7 COMPENSATION PROGRAM

8 For necessary expenses to administer the Energy
9 Employees Occupational Illness Compensation Program
10 Act, \$55,358,000, to remain available until expended: *Pro-*
11 *vided*, That this amount shall be available consistent with
12 the provision regarding administrative expenses in section
13 151(b) of division B, title I of Public Law 106–554.

14 GLOBAL HEALTH

15 For carrying out titles II, III, and XVII of the PHS
16 Act with respect to global health, \$570,843,000, of which:
17 (1) \$128,421,000 shall remain available through Sep-
18 tember 30, 2021 for international HIV/AIDS; and (2)
19 \$173,400,000 shall remain available through September
20 30, 2022 for global disease detection and emergency re-
21 sponse: *Provided*, That funds may be used for purchase
22 and insurance of official motor vehicles in foreign coun-
23 tries.

1 PUBLIC HEALTH PREPAREDNESS AND RESPONSE

2 For carrying out titles II, III, and XVII of the PHS
3 Act with respect to public health preparedness and re-
4 sponse, and for expenses necessary to support activities
5 related to countering potential biological, nuclear, radio-
6 logical, and chemical threats to civilian populations,
7 \$850,200,000: *Provided*, That the Director of the Centers
8 for Disease Control and Prevention (referred to in this
9 title as “CDC”) or the Administrator of the Agency for
10 Toxic Substances and Disease Registry may detail staff
11 without reimbursement for up to 180 days to support an
12 activation of the CDC Emergency Operations Center, so
13 long as the Director or Administrator, as applicable, pro-
14 vides a notice to the Committees on Appropriations of the
15 House of Representatives and the Senate within 15 days
16 of the use of this authority and a full report within 30
17 days after use of this authority which includes the number
18 of staff and funding level broken down by the originating
19 center and number of days detailed: *Provided further*,
20 That funds appropriated under this heading may be used
21 to support a contract for the operation and maintenance
22 of an aircraft in direct support of activities throughout
23 CDC to ensure the agency is prepared to address public
24 health preparedness emergencies.

1 BUILDINGS AND FACILITIES
2 (INCLUDING TRANSFER OF FUNDS)

3 For acquisition of real property, equipment, construc-
4 tion, installation, demolition, and renovation of facilities,
5 \$25,000,000, which shall remain available until September
6 30, 2024: *Provided*, That funds made available to this ac-
7 count in this or any prior Act that are available for the
8 acquisition of real property or for construction or improve-
9 ment of facilities shall be available to make improvements
10 on non-federally owned property, provided that any im-
11 provements that are not adjacent to federally owned prop-
12 erty do not exceed \$2,500,000, and that the primary ben-
13 efit of such improvements accrues to CDC: *Provided fur-*
14 *ther*, That funds previously set-aside by CDC for repair
15 and upgrade of the Lake Lynn Experimental Mine and
16 Laboratory shall be used to acquire a replacement mine
17 safety research facility: *Provided further*, That in addition,
18 the prior year unobligated balance of any amounts as-
19 signed to former employees in accounts of CDC made
20 available for Individual Learning Accounts shall be cred-
21 ited to and merged with the amounts made available under
22 this heading to support the replacement of the mine safety
23 research facility.

1 CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT
2 (INCLUDING TRANSFER OF FUNDS)

3 For carrying out titles II, III, XVII and XIX, and
4 section 2821 of the PHS Act and for cross-cutting activi-
5 ties and program support for activities funded in other
6 appropriations included in this Act for the Centers for
7 Disease Control and Prevention, \$198,570,000, of which
8 up to \$5,000,000 may be transferred to the reserve of the
9 Working Capital Fund authorized under this heading in
10 division F of Public Law 112–74: *Provided*, That para-
11 graphs (1) through (3) of subsection (b) of section 2821
12 of the PHS Act shall not apply to funds appropriated
13 under this heading and in all other accounts of the CDC:
14 *Provided further*, That employees of CDC or the Public
15 Health Service, both civilian and commissioned officers,
16 detailed to States, municipalities, or other organizations
17 under authority of section 214 of the PHS Act, or in over-
18 seas assignments, shall be treated as non-Federal employ-
19 ees for reporting purposes only and shall not be included
20 within any personnel ceiling applicable to the Agency,
21 Service, or HHS during the period of detail or assignment:
22 *Provided further*, That CDC may use up to \$10,000 from
23 amounts appropriated to CDC in this Act for official re-
24 ception and representation expenses when specifically ap-
25 proved by the Director of CDC: *Provided further*, That in

1 addition, such sums as may be derived from authorized
2 user fees, which shall be credited to the appropriation
3 charged with the cost thereof: *Provided further*, That with
4 respect to the previous proviso, authorized user fees from
5 the Vessel Sanitation Program and the Respirator Certifi-
6 cation Program shall be available through September 30,
7 2021.

8 NATIONAL INSTITUTES OF HEALTH

9 NATIONAL CANCER INSTITUTE

10 For carrying out section 301 and title IV of the PHS
11 Act with respect to cancer, \$6,245,442,000, of which up
12 to \$30,000,000 may be used for facilities repairs and im-
13 provements at the National Cancer Institute—Frederick
14 Federally Funded Research and Development Center in
15 Frederick, Maryland.

16 NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to cardiovascular, lung, and blood dis-
19 eases, and blood and blood products, \$3,624,258,000.

20 NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL

21 RESEARCH

22 For carrying out section 301 and title IV of the PHS
23 Act with respect to dental and craniofacial diseases,
24 \$477,429,000.

1 NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND
2 KIDNEY DISEASES

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to diabetes and digestive and kidney dis-
5 ease, \$2,114,314,000.

6 NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS
7 AND STROKE

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to neurological disorders and stroke,
10 \$2,374,687,000.

11 NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS
12 DISEASES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to allergy and infectious diseases,
15 \$5,885,470,000.

16 NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

17 For carrying out section 301 and title IV of the PHS
18 Act with respect to general medical sciences,
19 \$2,937,218,000, of which \$1,230,821,000 shall be from
20 funds available under section 241 of the PHS Act: *Pro-*
21 *vided*, That not less than \$386,573,000 is provided for
22 the Institutional Development Awards program.

1 EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF
2 CHILD HEALTH AND HUMAN DEVELOPMENT

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to child health and human development,
5 \$1,556,879,000.

6 NATIONAL EYE INSTITUTE

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to eye diseases and visual disorders,
9 \$824,090,000.

10 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
11 SCIENCES

12 For carrying out section 301 and title IV of the PHS
13 Act with respect to environmental health sciences,
14 \$802,598,000.

15 NATIONAL INSTITUTE ON AGING

16 For carrying out section 301 and title IV of the PHS
17 Act with respect to aging, \$3,543,673,000.

18 NATIONAL INSTITUTE OF ARTHRITIS AND
19 MUSCULOSKELETAL AND SKIN DISEASES

20 For carrying out section 301 and title IV of the PHS
21 Act with respect to arthritis and musculoskeletal and skin
22 diseases, \$624,889,000.

1 NATIONAL INSTITUTE ON DEAFNESS AND OTHER
2 COMMUNICATION DISORDERS

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to deafness and other communication dis-
5 orders, \$490,692,000.

6 NATIONAL INSTITUTE OF NURSING RESEARCH

7 For carrying out section 301 and title IV of the PHS
8 Act with respect to nursing research, \$169,113,000.

9 NATIONAL INSTITUTE ON ALCOHOL ABUSE AND
10 ALCOHOLISM

11 For carrying out section 301 and title IV of the PHS
12 Act with respect to alcohol abuse and alcoholism,
13 \$545,373,000.

14 NATIONAL INSTITUTE ON DRUG ABUSE

15 For carrying out section 301 and title IV of the PHS
16 Act with respect to drug abuse, \$1,462,016,000.

17 NATIONAL INSTITUTE OF MENTAL HEALTH

18 For carrying out section 301 and title IV of the PHS
19 Act with respect to mental health, \$1,968,374,000.

20 NATIONAL HUMAN GENOME RESEARCH INSTITUTE

21 For carrying out section 301 and title IV of the PHS
22 Act with respect to human genome research,
23 \$606,349,000.

1 NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND
2 BIOENGINEERING

3 For carrying out section 301 and title IV of the PHS
4 Act with respect to biomedical imaging and bioengineering
5 research, \$403,638,000.

6 NATIONAL CENTER FOR COMPLEMENTARY AND
7 INTEGRATIVE HEALTH

8 For carrying out section 301 and title IV of the PHS
9 Act with respect to complementary and integrative health,
10 \$151,740,000.

11 NATIONAL INSTITUTE ON MINORITY HEALTH AND
12 HEALTH DISPARITIES

13 For carrying out section 301 and title IV of the PHS
14 Act with respect to minority health and health disparities
15 research, \$335,812,000: *Provided*, That funds may be
16 used to implement a reorganization that is presented to
17 an advisory council in a public meeting and for which the
18 Committees on Appropriations of the House of Represent-
19 atives and the Senate have been notified 30 days in ad-
20 vance.

21 JOHN E. FOGARTY INTERNATIONAL CENTER

22 For carrying out the activities of the John E. Fogarty
23 International Center (described in subpart 2 of part E of
24 title IV of the PHS Act), \$80,760,000.

1 NATIONAL LIBRARY OF MEDICINE

2 For carrying out section 301 and title IV of the PHS
3 Act with respect to health information communications,
4 \$456,911,000: *Provided*, That of the amounts available for
5 improvement of information systems, \$4,000,000 shall be
6 available until September 30, 2021: *Provided further*, That
7 in fiscal year 2020, the National Library of Medicine may
8 enter into personal services contracts for the provision of
9 services in facilities owned, operated, or constructed under
10 the jurisdiction of the National Institutes of Health (re-
11 ferred to in this title as “NIH”).

12 NATIONAL CENTER FOR ADVANCING TRANSLATIONAL
13 SCIENCES

14 For carrying out section 301 and title IV of the PHS
15 Act with respect to translational sciences, \$832,888,000:
16 *Provided*, That up to \$60,000,000 shall be available to im-
17 plement section 480 of the PHS Act, relating to the Cures
18 Acceleration Network: *Provided further*, That at least
19 \$578,141,000 is provided to the Clinical and Translational
20 Sciences Awards program.

21 OFFICE OF THE DIRECTOR

22 (INCLUDING TRANSFER OF FUNDS)

23 For carrying out the responsibilities of the Office of
24 the Director, NIH, \$2,239,787,000: *Provided*, That fund-
25 ing shall be available for the purchase of not to exceed

1 29 passenger motor vehicles for replacement only: *Pro-*
2 *vided further*, That all funds credited to the NIH Manage-
3 ment Fund shall remain available for one fiscal year after
4 the fiscal year in which they are deposited: *Provided fur-*
5 *ther*, That \$180,000,000 shall be for the Environmental
6 Influences on Child Health Outcomes study: *Provided fur-*
7 *ther*, That \$626,511,000 shall be available for the Com-
8 mon Fund established under section 402A(c)(1) of the
9 PHS Act: *Provided further*, That of the funds provided,
10 \$10,000 shall be for official reception and representation
11 expenses when specifically approved by the Director of the
12 NIH: *Provided further*, That the Office of AIDS Research
13 within the Office of the Director of the NIH may spend
14 up to \$8,000,000 to make grants for construction or ren-
15 ovation of facilities as provided for in section
16 2354(a)(5)(B) of the PHS Act: *Provided further*, That
17 \$50,000,000 shall be used to carry out section 404I of
18 the PHS Act (42 U.S.C. 283K), relating to biomedical and
19 behavioral research facilities: *Provided further*, That
20 \$5,000,000 shall be transferred to and merged with the
21 appropriation for the “Office of Inspector General” for
22 oversight of grant programs and operations of the NIH,
23 including agency efforts to ensure the integrity of its grant
24 application evaluation and selection processes, and shall
25 be in addition to funds otherwise made available for over-

1 sight of the NIH: *Provided further*, That the funds pro-
2 vided in the previous proviso may be transferred from one
3 specified activity to another with 15 days prior approval
4 of the Committees on Appropriations of the House of Rep-
5 resentatives and the Senate: *Provided further*, That the In-
6 spector General shall consult with the Committees on Ap-
7 propriations of the House of Representatives and the Sen-
8 ate before submitting to the Committees an audit plan for
9 fiscal years 2020 and 2021 no later than 30 days after
10 the date of enactment of this Act: *Provided further*, That
11 amounts available under this heading are also available
12 to establish, operate, and support the Research Policy
13 Board authorized by section 2034(f) of the 21st Century
14 Cures Act.

15 In addition to other funds appropriated for the Com-
16 mon Fund established under section 402A(c) of the PHS
17 Act, \$12,600,000 is appropriated to the Common Fund
18 from the 10-year Pediatric Research Initiative Fund de-
19 scribed in section 9008 of title 26, United States Code,
20 for the purpose of carrying out section 402(b)(7)(B)(ii)
21 of the PHS Act (relating to pediatric research), as author-
22 ized in the Gabriella Miller Kids First Research Act.

23 BUILDINGS AND FACILITIES

24 For the study of, construction of, demolition of, ren-
25 ovation of, and acquisition of equipment for, facilities of

1 or used by NIH, including the acquisition of real property,
2 \$200,000,000, to remain available through September 30,
3 2024.

4 NIH INNOVATION ACCOUNT, CURES ACT
5 (INCLUDING TRANSFER OF FUNDS)

6 For necessary expenses to carry out the purposes de-
7 scribed in section 1001(b)(4) of the 21st Century Cures
8 Act, in addition to amounts available for such purposes
9 in the appropriations provided to the NIH in this Act,
10 \$492,000,000, to remain available until expended: *Pro-*
11 *vided*, That such amounts are appropriated pursuant to
12 section 1001(b)(3) of such Act, are to be derived from
13 amounts transferred under section 1001(b)(2)(A) of such
14 Act, and may be transferred by the Director of the Na-
15 tional Institutes of Health to other accounts of the Na-
16 tional Institutes of Health solely for the purposes provided
17 in such Act: *Provided further*, That upon a determination
18 by the Director that funds transferred pursuant to the
19 previous proviso are not necessary for the purposes pro-
20 vided, such amounts may be transferred back to the Ac-
21 count: *Provided further*, That the transfer authority pro-
22 vided under this heading is in addition to any other trans-
23 fer authority provided by law.

1 SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES

2 ADMINISTRATION

3 MENTAL HEALTH

4 For carrying out titles III, V, and XIX of the PHS
5 Act with respect to mental health, and the Protection and
6 Advocacy for Individuals with Mental Illness Act,
7 \$1,644,974,000: *Provided*, That of the funds made avail-
8 able under this heading, \$68,887,000 shall be for the Na-
9 tional Child Traumatic Stress Initiative: *Provided further*,
10 That notwithstanding section 520A(f)(2) of the PHS Act,
11 no funds appropriated for carrying out section 520A shall
12 be available for carrying out section 1971 of the PHS Act:
13 *Provided further*, That in addition to amounts provided
14 herein, \$21,039,000 shall be available under section 241
15 of the PHS Act to carry out subpart I of part B of title
16 XIX of the PHS Act to fund section 1920(b) technical
17 assistance, national data, data collection and evaluation
18 activities, and further that the total available under this
19 Act for section 1920(b) activities shall not exceed 5 per-
20 cent of the amounts appropriated for subpart I of part
21 B of title XIX: *Provided further*, That up to 10 percent
22 of the amounts made available to carry out the Children's
23 Mental Health Services program may be used to carry out
24 demonstration grants or contracts for early interventions
25 with persons not more than 25 years of age at clinical

1 high risk of developing a first episode of psychosis: *Pro-*
2 *vided further*, That section 520E(b)(2) of the PHS Act
3 shall not apply to funds appropriated in this Act for fiscal
4 year 2020: *Provided further*, That States shall expend at
5 least 10 percent of the amount each receives for carrying
6 out section 1911 of the PHS Act to support evidence-
7 based programs that address the needs of individuals with
8 early serious mental illness, including psychotic disorders,
9 regardless of the age of the individual at onset: *Provided*
10 *further*, That \$200,000,000 shall be available until Sep-
11 tember 30, 2022 for grants to communities and commu-
12 nity organizations who meet criteria for Certified Commu-
13 nity Behavioral Health Clinics pursuant to section 223(a)
14 of Public Law 113–93: *Provided further*, That none of the
15 funds provided for section 1911 of the PHS Act shall be
16 subject to section 241 of such Act: *Provided further*, That
17 of the funds made available under this heading,
18 \$19,000,000 shall be to carry out section 224 of the Pro-
19 tecting Access to Medicare Act of 2014 (Public Law 113–
20 93; 42 U.S.C. 290aa 22 note).

21 SUBSTANCE ABUSE TREATMENT

22 For carrying out titles III and V of the PHS Act
23 with respect to substance abuse treatment and title XIX
24 of such Act with respect to substance abuse treatment and
25 prevention, and the SUPPORT for Patients and Commu-

1 nities Act, \$3,756,556,000: *Provided*, That
2 \$1,500,000,000 shall be for State Opioid Response Grants
3 for carrying out activities pertaining to opioids and stimu-
4 lants undertaken by the State agency responsible for ad-
5 ministering the substance abuse prevention and treatment
6 block grant under subpart II of part B of title XIX of
7 the PHS Act (42 U.S.C. 300x-21 et seq.): *Provided fur-*
8 *ther*, That of such amount \$50,000,000 shall be made
9 available to Indian Tribes or tribal organizations: *Provided*
10 *further*, That 15 percent of the remaining amount shall
11 be for the States with the highest mortality rate related
12 to opioid use disorders: *Provided further*, That of the
13 amounts provided for State Opioid Response Grants not
14 more than 2 percent shall be available for Federal admin-
15 istrative expenses, training, technical assistance, and eval-
16 uation: *Provided further*, That of the amount not reserved
17 by the previous three provisos, the Secretary shall make
18 allocations to States, territories, and the District of Co-
19 lumbia according to a formula using national survey re-
20 sults that the Secretary determines are the most objective
21 and reliable measure of drug use and drug-related deaths:
22 *Provided further*, That the Secretary shall submit the for-
23 mula methodology to the Committees on Appropriations
24 of the House of Representatives and the Senate not less
25 than 15 days prior to publishing a Funding Opportunity

1 Announcement: *Provided further*, That prevention and
2 treatment activities funded through such grants may in-
3 clude education, treatment (including the provision of
4 medication), behavioral health services for individuals in
5 treatment programs, referral to treatment services, recov-
6 ery support, and medical screening associated with such
7 treatment: *Provided further*, That each State, as well as
8 the District of Columbia, shall receive not less than
9 \$4,000,000: *Provided further*, That in addition to amounts
10 provided herein, the following amounts shall be available
11 under section 241 of the PHS Act: (1) \$79,200,000 to
12 carry out subpart II of part B of title XIX of the PHS
13 Act to fund section 1935(b) technical assistance, national
14 data, data collection and evaluation activities, and further
15 that the total available under this Act for section 1935(b)
16 activities shall not exceed 5 percent of the amounts appro-
17 priated for subpart II of part B of title XIX; and (2)
18 \$2,000,000 to evaluate substance abuse treatment pro-
19 grams: *Provided further*, That none of the funds provided
20 for section 1921 of the PHS Act or State Opioid Response
21 Grants shall be subject to section 241 of such Act.

22 SUBSTANCE ABUSE PREVENTION

23 For carrying out titles III and V of the PHS Act
24 with respect to substance abuse prevention, \$206,469,000.

1 HEALTH SURVEILLANCE AND PROGRAM SUPPORT

2 For program support and cross-cutting activities that
3 supplement activities funded under the headings “Mental
4 Health”, “Substance Abuse Treatment”, and “Substance
5 Abuse Prevention” in carrying out titles III, V, and XIX
6 of the PHS Act and the Protection and Advocacy for Indi-
7 viduals with Mental Illness Act in the Substance Abuse
8 and Mental Health Services Administration,
9 \$128,830,000: *Provided*, That in addition to amounts pro-
10 vided herein, \$31,428,000 shall be available under section
11 241 of the PHS Act to supplement funds available to
12 carry out national surveys on drug abuse and mental
13 health, to collect and analyze program data, and to con-
14 duct public awareness and technical assistance activities:
15 *Provided further*, That, in addition, fees may be collected
16 for the costs of publications, data, data tabulations, and
17 data analysis completed under title V of the PHS Act and
18 provided to a public or private entity upon request, which
19 shall be credited to this appropriation and shall remain
20 available until expended for such purposes: *Provided fur-*
21 *ther*, That amounts made available in this Act for carrying
22 out section 501(o) of the PHS Act shall remain available
23 through September 30, 2021: *Provided further*, That funds
24 made available under this heading may be used to supple-
25 ment program support funding provided under the head-

1 ings “Mental Health”, “Substance Abuse Treatment”,
2 and “Substance Abuse Prevention”.

3 AGENCY FOR HEALTHCARE RESEARCH AND QUALITY
4 HEALTHCARE RESEARCH AND QUALITY

5 For carrying out titles III and IX of the PHS Act,
6 part A of title XI of the Social Security Act, and section
7 1013 of the Medicare Prescription Drug, Improvement,
8 and Modernization Act of 2003, \$338,000,000: *Provided*,
9 That section 947(c) of the PHS Act shall not apply in
10 fiscal year 2020: *Provided further*, That in addition,
11 amounts received from Freedom of Information Act fees,
12 reimbursable and interagency agreements, and the sale of
13 data shall be credited to this appropriation and shall re-
14 main available until September 30, 2021.

15 CENTERS FOR MEDICARE & MEDICAID SERVICES
16 GRANTS TO STATES FOR MEDICAID

17 For carrying out, except as otherwise provided, titles
18 XI and XIX of the Social Security Act, \$273,188,478,000,
19 to remain available until expended.

20 For making, after May 31, 2020, payments to States
21 under title XIX or in the case of section 1928 on behalf
22 of States under title XIX of the Social Security Act for
23 the last quarter of fiscal year 2020 for unanticipated costs
24 incurred for the current fiscal year, such sums as may be
25 necessary.

1 For making payments to States or in the case of sec-
2 tion 1928 on behalf of States under title XIX of the Social
3 Security Act for the first quarter of fiscal year 2021,
4 \$139,903,075,000, to remain available until expended.

5 Payment under such title XIX may be made for any
6 quarter with respect to a State plan or plan amendment
7 in effect during such quarter, if submitted in or prior to
8 such quarter and approved in that or any subsequent
9 quarter.

10 PAYMENTS TO THE HEALTH CARE TRUST FUNDS

11 For payment to the Federal Hospital Insurance
12 Trust Fund and the Federal Supplementary Medical In-
13 surance Trust Fund, as provided under sections 217(g),
14 1844, and 1860D–16 of the Social Security Act, sections
15 103(e) and 111(d) of the Social Security Amendments of
16 1965, section 278(d)(3) of Public Law 97–248, and for
17 administrative expenses incurred pursuant to section
18 201(g) of the Social Security Act, \$410,796,100,000.

19 In addition, for making matching payments under
20 section 1844 and benefit payments under section 1860D–
21 16 of the Social Security Act that were not anticipated
22 in budget estimates, such sums as may be necessary.

23 PROGRAM MANAGEMENT

24 For carrying out, except as otherwise provided, titles
25 XI, XVIII, XIX, and XXI of the Social Security Act, titles

1 XIII and XXVII of the PHS Act, the Clinical Laboratory
2 Improvement Amendments of 1988, and other responsibil-
3 ities of the Centers for Medicare & Medicaid Services, not
4 to exceed \$3,669,744,000, to be transferred from the Fed-
5 eral Hospital Insurance Trust Fund and the Federal Sup-
6 plementary Medical Insurance Trust Fund, as authorized
7 by section 201(g) of the Social Security Act; together with
8 all funds collected in accordance with section 353 of the
9 PHS Act and section 1857(e)(2) of the Social Security
10 Act, funds retained by the Secretary pursuant to section
11 1893(h) of the Social Security Act, and such sums as may
12 be collected from authorized user fees and the sale of data,
13 which shall be credited to this account and remain avail-
14 able until expended: *Provided*, That all funds derived in
15 accordance with 31 U.S.C. 9701 from organizations estab-
16 lished under title XIII of the PHS Act shall be credited
17 to and available for carrying out the purposes of this ap-
18 propriation: *Provided further*, That the Secretary is di-
19 rected to collect fees in fiscal year 2020 from Medicare
20 Advantage organizations pursuant to section 1857(e)(2)
21 of the Social Security Act and from eligible organizations
22 with risk-sharing contracts under section 1876 of that Act
23 pursuant to section 1876(k)(4)(D) of that Act: *Provided*
24 *further*, That amounts available under this heading to sup-
25 port quality improvement organizations (as defined in sec-

1 tion 1152 of the Social Security Act) shall not exceed the
2 amount specifically provided for such purpose under this
3 heading in division H of the Consolidated Appropriations
4 Act, 2018 (Public Law 115–141).

5 HEALTH CARE FRAUD AND ABUSE CONTROL ACCOUNT

6 In addition to amounts otherwise available for pro-
7 gram integrity and program management, \$786,000,000,
8 to remain available through September 30, 2021, to be
9 transferred from the Federal Hospital Insurance Trust
10 Fund and the Federal Supplementary Medical Insurance
11 Trust Fund, as authorized by section 201(g) of the Social
12 Security Act, of which \$610,000,000 shall be for the Cen-
13 ters for Medicare & Medicaid Services program integrity
14 activities, of which \$93,000,000 shall be for the Depart-
15 ment of Health and Human Services Office of Inspector
16 General to carry out fraud and abuse activities authorized
17 by section 1817(k)(3) of such Act, and of which
18 \$83,000,000 shall be for the Department of Justice to
19 carry out fraud and abuse activities authorized by section
20 1817(k)(3) of such Act: *Provided*, That the report re-
21 quired by section 1817(k)(5) of the Social Security Act
22 for fiscal year 2020 shall include measures of the oper-
23 ational efficiency and impact on fraud, waste, and abuse
24 in the Medicare, Medicaid, and CHIP programs for the
25 funds provided by this appropriation: *Provided further*,

1 That of the amount provided under this heading,
2 \$311,000,000 is provided to meet the terms of section
3 251(b)(2)(C)(ii) of the Balanced Budget and Emergency
4 Deficit Control Act of 1985, as amended, and
5 \$475,000,000 is additional new budget authority specified
6 for purposes of section 251(b)(2)(C) of such Act: *Provided*
7 *further*, That the Secretary shall provide not less than
8 \$18,000,000 for the Senior Medicare Patrol program to
9 combat health care fraud and abuse from the funds pro-
10 vided to this account.

11 ADMINISTRATION FOR CHILDREN AND FAMILIES

12 PAYMENTS TO STATES FOR CHILD SUPPORT

13 ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

14 For carrying out, except as otherwise provided, titles
15 I, IV–D, X, XI, XIV, and XVI of the Social Security Act
16 and the Act of July 5, 1960, \$2,890,000,000, to remain
17 available until expended; and for such purposes for the
18 first quarter of fiscal year 2021, \$1,400,000,000, to re-
19 main available until expended.

20 For carrying out, after May 31 of the current fiscal
21 year, except as otherwise provided, titles I, IV–D, X, XI,
22 XIV, and XVI of the Social Security Act and the Act of
23 July 5, 1960, for the last 3 months of the current fiscal
24 year for unanticipated costs, incurred for the current fiscal
25 year, such sums as may be necessary.

1 LOW INCOME HOME ENERGY ASSISTANCE

2 For making payments under subsections (b) and (d)
3 of section 2602 of the Low-Income Home Energy Assist-
4 ance Act of 1981 (42 U.S.C. 8621 et seq.),
5 \$3,740,304,000: *Provided*, That notwithstanding section
6 2609A(a) of such Act, not more than \$2,988,000 may be
7 reserved by the Secretary of Health and Human Services
8 for technical assistance, training, and monitoring of pro-
9 gram activities for compliance with internal controls, poli-
10 cies and procedures and the Secretary may, in addition
11 to the authorities provided in section 2609A(a)(1), use
12 such funds through contracts with private entities that do
13 not qualify as nonprofit organizations: *Provided further*,
14 That all but \$753,000,000 of the amount appropriated
15 under this heading shall be allocated as though the total
16 appropriation for such payments for fiscal year 2020 was
17 less than \$1,975,000,000: *Provided further*, That, after
18 applying all applicable provisions of section 2604 of such
19 Act and the previous proviso, each State or territory that
20 would otherwise receive an allocation that is less than 97
21 percent of the amount that it received under this heading
22 for fiscal year 2019 from amounts appropriated in Public
23 Law 115–245 shall have its allocation increased to that
24 97 percent level, with the portions of other States’ and
25 territories’ allocations that would exceed 100 percent of

1 the amounts they respectively received in such fashion for
2 fiscal year 2019 being ratably reduced.

3 REFUGEE AND ENTRANT ASSISTANCE
4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for refugee and entrant as-
6 sistance activities authorized by section 414 of the Immi-
7 gration and Nationality Act and section 501 of the Ref-
8 ugee Education Assistance Act of 1980, and for carrying
9 out section 462 of the Homeland Security Act of 2002,
10 section 235 of the William Wilberforce Trafficking Victims
11 Protection Reauthorization Act of 2008, the Trafficking
12 Victims Protection Act of 2000 (“TVPA”), and the Tor-
13 ture Victims Relief Act of 1998, \$1,908,201,000, of which
14 \$1,864,446,000 shall remain available through September
15 30, 2022 for carrying out such sections 414, 501, 462,
16 and 235: *Provided*, That amounts available under this
17 heading to carry out the TVPA shall also be available for
18 research and evaluation with respect to activities under
19 such Act: *Provided further*, That not less than
20 \$160,000,000 shall be used for legal services, child advo-
21 cates, and post-release services: *Provided further*, That the
22 limitation in section 205 of this Act regarding transfers
23 increasing any appropriation shall apply to transfers to
24 appropriations under this heading by substituting “15
25 percent” for “3 percent”.

1 under such subparagraph for a State to carry out State
2 programs pursuant to title XX–A of such Act shall be 10
3 percent.

4 CHILDREN AND FAMILIES SERVICES PROGRAMS

5 For carrying out, except as otherwise provided, the
6 Runaway and Homeless Youth Act, the Head Start Act,
7 the Every Student Succeeds Act, the Child Abuse Preven-
8 tion and Treatment Act, sections 303 and 313 of the
9 Family Violence Prevention and Services Act, the Native
10 American Programs Act of 1974, title II of the Child
11 Abuse Prevention and Treatment and Adoption Reform
12 Act of 1978 (adoption opportunities), part B–1 of title IV
13 and sections 429, 473A, 477(i), 1110, 1114A, and 1115
14 of the Social Security Act, and the Community Services
15 Block Grant Act (“CSBG Act”); and for necessary admin-
16 istrative expenses to carry out titles I, IV, V, X, XI, XIV,
17 XVI, and XX–A of the Social Security Act, the Act of
18 July 5, 1960, the Low-Income Home Energy Assistance
19 Act of 1981, the Child Care and Development Block Grant
20 Act of 1990, the Assets for Independence Act, title IV of
21 the Immigration and Nationality Act, and section 501 of
22 the Refugee Education Assistance Act of 1980,
23 \$12,876,652,000, of which \$75,000,000, to remain avail-
24 able through September 30, 2021, shall be for grants to
25 States for adoption and legal guardianship incentive pay-

1 ments, as defined by section 473A of the Social Security
2 Act and may be made for adoptions and legal
3 guardianships completed before September 30, 2020: *Pro-*
4 *vided*, That \$10,613,095,000 shall be for making pay-
5 ments under the Head Start Act, including for Early Head
6 Start-Child Care Partnerships, and, of which, notwith-
7 standing section 640 of such Act:

8 (1) \$193,000,000 shall be available for a cost
9 of living adjustment, and with respect to any con-
10 tinuing appropriations act, funding available for a
11 cost of living adjustment shall not be construed as
12 an authority or condition under this Act;

13 (2) \$25,000,000 shall be available for allocation
14 by the Secretary to supplement activities described
15 in paragraphs (7)(B) and (9) of section 641(c) of
16 the Head Start Act under the Designation Renewal
17 System, established under the authority of sections
18 641(c)(7), 645A(b)(12), and 645A(d) of such Act,
19 and such funds shall not be included in the calcula-
20 tion of “base grant” in subsequent fiscal years, as
21 such term is used in section 640(a)(7)(A) of such
22 Act;

23 (3) \$100,000,000, in addition to funds other-
24 wise available under such section 640 for such pur-
25 poses, shall be available through March 31, 2021 for

1 new grants to entities defined as eligible under sec-
2 tion 645A(d) of such Act for Early Head Start pro-
3 grams as described in section 645A of such Act, con-
4 version of Head Start services to Early Head Start
5 services as described in section 645(a)(5)(A) of such
6 Act, and high quality infant and toddler care
7 through Early Head Start-Child Care Partnerships,
8 and for training and technical assistance for such
9 activities;

10 (4) \$250,000,000 shall be available for quality
11 improvement consistent with section 640(a)(5) of
12 such Act except that any amount of the funds may
13 be used on any of the activities in such section (5);

14 (5) \$4,000,000 shall be available for the pur-
15 poses of re-establishing the Tribal Colleges and Uni-
16 versities Head Start Partnership Program consistent
17 with section 648(g) of such Act; and

18 (6) \$19,000,000 shall be available to supple-
19 ment funding otherwise available for research, eval-
20 uation, and Federal administrative costs:

21 *Provided further*, That the Secretary may reduce the res-
22 ervation of funds under section 640(a)(2)(C) of such Act
23 in lieu of reducing the reservation of funds under sections
24 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such
25 Act: *Provided further*, That \$275,000,000 shall be avail-

1 able until December 31, 2020 for carrying out sections
2 9212 and 9213 of the Every Student Succeeds Act: *Pro-*
3 *vided further*, That up to 3 percent of the funds in the
4 preceding proviso shall be available for technical assist-
5 ance and evaluation related to grants awarded under such
6 section 9212: *Provided further*, That \$770,383,000 shall
7 be for making payments under the CSBG Act: *Provided*
8 *further*, That \$30,383,000 shall be for section 680 of the
9 CSBG Act, of which not less than \$20,383,000 shall be
10 for section 680(a)(2) and not less than \$10,000,000 shall
11 be for section 680(a)(3)(B) of such Act: *Provided further*,
12 That, notwithstanding section 675C(a)(3) of such Act, to
13 the extent Community Services Block Grant funds are dis-
14 tributed as grant funds by a State to an eligible entity
15 as provided under such Act, and have not been expended
16 by such entity, they shall remain with such entity for car-
17 ryover into the next fiscal year for expenditure by such
18 entity consistent with program purposes: *Provided further*,
19 That the Secretary shall establish procedures regarding
20 the disposition of intangible assets and program income
21 that permit such assets acquired with, and program in-
22 come derived from, grant funds authorized under section
23 680 of the CSBG Act to become the sole property of such
24 grantees after a period of not more than 12 years after
25 the end of the grant period for any activity consistent with

1 section 680(a)(2)(A) of the CSBG Act: *Provided further,*
2 That intangible assets in the form of loans, equity invest-
3 ments and other debt instruments, and program income
4 may be used by grantees for any eligible purpose con-
5 sistent with section 680(a)(2)(A) of the CSBG Act: *Pro-*
6 *vided further,* That these procedures shall apply to such
7 grant funds made available after November 29, 1999: *Pro-*
8 *vided further,* That funds appropriated for section
9 680(a)(2) of the CSBG Act shall be available for financing
10 construction and rehabilitation and loans or investments
11 in private business enterprises owned by community devel-
12 opment corporations: *Provided further,* That
13 \$175,000,000 shall be for carrying out section 303(a) of
14 the Family Violence Prevention and Services Act, of which
15 \$7,000,000 shall be allocated notwithstanding section
16 303(a)(2) of such Act for carrying out section 309 of such
17 Act: *Provided further,* That the percentages specified in
18 section 112(a)(2) of the Child Abuse Prevention and
19 Treatment Act shall not apply to funds appropriated
20 under this heading: *Provided further,* That \$1,864,000
21 shall be for a human services case management system
22 for federally declared disasters, to include a comprehensive
23 national case management contract and Federal costs of
24 administering the system: *Provided further,* That up to
25 \$2,000,000 shall be for improving the Public Assistance

1 Reporting Information System, including grants to States
2 to support data collection for a study of the system’s effec-
3 tiveness.

4 PROMOTING SAFE AND STABLE FAMILIES

5 For carrying out, except as otherwise provided, sec-
6 tion 436 of the Social Security Act, \$345,000,000 and,
7 for carrying out, except as otherwise provided, section 437
8 of such Act, \$92,515,000: *Provided*, That of the funds
9 available to carry out section 437, \$59,765,000 shall be
10 allocated consistent with subsections (b) through (d) of
11 such section: *Provided further*, That of the funds available
12 to carry out section 437, to assist in meeting the require-
13 ments described in section 471(e)(4)(C), \$20,000,000
14 shall be for grants to each State, territory, and Indian
15 tribe operating title IV–E plans for developing, enhancing,
16 or evaluating kinship navigator programs, as described in
17 section 427(a)(1) of such Act, \$10,000,000, in addition
18 to funds otherwise appropriated in section 436 for such
19 purposes, shall be for competitive grants to regional part-
20 nerships as described in section 437(f), and \$2,750,000,
21 in addition to funds otherwise appropriated in section 476
22 for such purposes, for the Family First Clearinghouse:
23 *Provided further*, That section 437(b)(1) shall be applied
24 to amounts in the previous proviso by substituting “5 per-
25 cent” for “3.3 percent”, and notwithstanding section

1 436(b)(1), such reserved amounts may be used for identi-
2 fying, establishing, and disseminating practices to meet
3 the criteria specified in section 471(e)(4)(C): *Provided fur-*
4 *ther*, That the reservation in section 437(b)(2) and the
5 limitations in section 437(d) shall not apply to funds spec-
6 ified in the second proviso: *Provided further*, That the min-
7 imum grant award for kinship navigator programs in the
8 case of States and territories shall be \$200,000, and, in
9 the case of tribes, shall be \$25,000.

10 PAYMENTS FOR FOSTER CARE AND PERMANENCY

11 For carrying out, except as otherwise provided, title
12 IV–E of the Social Security Act, \$5,744,000,000.

13 For carrying out, except as otherwise provided, title
14 IV–E of the Social Security Act, for the first quarter of
15 fiscal year 2021, \$3,000,000,000.

16 For carrying out, after May 31 of the current fiscal
17 year, except as otherwise provided, section 474 of title IV–
18 E of the Social Security Act, for the last 3 months of the
19 current fiscal year for unanticipated costs, incurred for the
20 current fiscal year, such sums as may be necessary.

21 ADMINISTRATION FOR COMMUNITY LIVING

22 AGING AND DISABILITY SERVICES PROGRAMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For carrying out, to the extent not otherwise pro-
25 vided, the Older Americans Act of 1965 (“OAA”), the

1 RAISE Family Caregivers Act, the Supporting Grand-
2 parents Raising Grandchildren Act, titles III and XXIX
3 of the PHS Act, sections 1252 and 1253 of the PHS Act,
4 section 119 of the Medicare Improvements for Patients
5 and Providers Act of 2008, title XX–B of the Social Secu-
6 rity Act, the Developmental Disabilities Assistance and
7 Bill of Rights Act, parts 2 and 5 of subtitle D of title
8 II of the Help America Vote Act of 2002, the Assistive
9 Technology Act of 1998, titles II and VII (and section
10 14 with respect to such titles) of the Rehabilitation Act
11 of 1973, and for Department-wide coordination of policy
12 and program activities that assist individuals with disabil-
13 ities, \$2,171,000,000, together with \$52,115,000 to be
14 transferred from the Federal Hospital Insurance Trust
15 Fund and the Federal Supplementary Medical Insurance
16 Trust Fund to carry out section 4360 of the Omnibus
17 Budget Reconciliation Act of 1990: *Provided*, That
18 amounts appropriated under this heading may be used for
19 grants to States under section 361 of the OAA only for
20 disease prevention and health promotion programs and ac-
21 tivities which have been demonstrated through rigorous
22 evaluation to be evidence-based and effective: *Provided*
23 *further*, That of amounts made available under this head-
24 ing to carry out sections 311, 331, and 336 of the OAA,
25 up to one percent of such amounts shall be available for

1 developing and implementing evidence-based practices for
2 enhancing senior nutrition, including medically-tailored
3 meals: *Provided further*, That notwithstanding any other
4 provision of this Act, funds made available under this
5 heading to carry out section 311 of the OAA may be trans-
6 ferred to the Secretary of Agriculture in accordance with
7 such section: *Provided further*, That \$2,000,000 shall be
8 for competitive grants to support alternative financing
9 programs that provide for the purchase of assistive tech-
10 nology devices, such as a low-interest loan fund; an inter-
11 est buy-down program; a revolving loan fund; a loan guar-
12 antee; or an insurance program: *Provided further*, That
13 applicants shall provide an assurance that, and informa-
14 tion describing the manner in which, the alternative fi-
15 nancing program will expand and emphasize consumer
16 choice and control: *Provided further*, That State agencies
17 and community-based disability organizations that are di-
18 rected by and operated for individuals with disabilities
19 shall be eligible to compete: *Provided further*, That none
20 of the funds made available under this heading may be
21 used by an eligible system (as defined in section 102 of
22 the Protection and Advocacy for Individuals with Mental
23 Illness Act (42 U.S.C. 10802)) to continue to pursue any
24 legal action in a Federal or State court on behalf of an
25 individual or group of individuals with a developmental

1 disability (as defined in section 102(8)(A) of the Develop-
2 mental Disabilities and Assistance and Bill of Rights Act
3 of 2000 (20 U.S.C. 15002(8)(A)) that is attributable to
4 a mental impairment (or a combination of mental and
5 physical impairments), that has as the requested remedy
6 the closure of State operated intermediate care facilities
7 for people with intellectual or developmental disabilities,
8 unless reasonable public notice of the action has been pro-
9 vided to such individuals (or, in the case of mental inca-
10 pacitation, the legal guardians who have been specifically
11 awarded authority by the courts to make healthcare and
12 residential decisions on behalf of such individuals) who are
13 affected by such action, within 90 days of instituting such
14 legal action, which informs such individuals (or such legal
15 guardians) of their legal rights and how to exercise such
16 rights consistent with current Federal Rules of Civil Pro-
17 cedure: *Provided further*, That the limitations in the imme-
18 diately preceding proviso shall not apply in the case of an
19 individual who is neither competent to consent nor has a
20 legal guardian, nor shall the proviso apply in the case of
21 individuals who are a ward of the State or subject to pub-
22 lic guardianship.

1 OFFICE OF THE SECRETARY
2 GENERAL DEPARTMENTAL MANAGEMENT

3 For necessary expenses, not otherwise provided, for
4 general departmental management, including hire of six
5 passenger motor vehicles, and for carrying out titles III,
6 XVII, XXI, and section 229 of the PHS Act, the United
7 States-Mexico Border Health Commission Act, and re-
8 search studies under section 1110 of the Social Security
9 Act, \$479,629,000, together with \$64,828,000 from the
10 amounts available under section 241 of the PHS Act to
11 carry out national health or human services research and
12 evaluation activities: *Provided*, That of this amount,
13 \$53,900,000 shall be for minority AIDS prevention and
14 treatment activities: *Provided further*, That of the funds
15 made available under this heading, \$101,000,000 shall be
16 for making competitive contracts and grants to public and
17 private entities to fund medically accurate and age appro-
18 priate programs that reduce teen pregnancy and for the
19 Federal costs associated with administering and evalu-
20 ating such contracts and grants, of which not more than
21 10 percent of the available funds shall be for training and
22 technical assistance, evaluation, outreach, and additional
23 program support activities, and of the remaining amount
24 75 percent shall be for replicating programs that have
25 been proven effective through rigorous evaluation to re-

1 duce teenage pregnancy, behavioral risk factors underlying
2 teenage pregnancy, or other associated risk factors, and
3 25 percent shall be available for research and demonstra-
4 tion grants to develop, replicate, refine, and test additional
5 models and innovative strategies for preventing teenage
6 pregnancy: *Provided further*, That of the amounts pro-
7 vided under this heading from amounts available under
8 section 241 of the PHS Act, \$6,800,000 shall be available
9 to carry out evaluations (including longitudinal evalua-
10 tions) of teenage pregnancy prevention approaches: *Pro-*
11 *vided further*, That of the funds made available under this
12 heading, \$35,000,000 shall be for making competitive
13 grants which exclusively implement education in sexual
14 risk avoidance (defined as voluntarily refraining from non-
15 marital sexual activity): *Provided further*, That funding for
16 such competitive grants for sexual risk avoidance shall use
17 medically accurate information referenced to peer-re-
18 viewed publications by educational, scientific, govern-
19 mental, or health organizations; implement an evidence-
20 based approach integrating research findings with prac-
21 tical implementation that aligns with the needs and de-
22 sired outcomes for the intended audience; and teach the
23 benefits associated with self-regulation, success sequene-
24 ing for poverty prevention, healthy relationships, goal set-
25 ting, and resisting sexual coercion, dating violence, and

1 other youth risk behaviors such as underage drinking or
2 illicit drug use without normalizing teen sexual activity:
3 *Provided further*, That no more than 10 percent of the
4 funding for such competitive grants for sexual risk avoid-
5 ance shall be available for technical assistance and admin-
6 istrative costs of such programs: *Provided further*, That
7 funds provided in this Act for embryo adoption activities
8 may be used to provide to individuals adopting embryos,
9 through grants and other mechanisms, medical and ad-
10 ministrative services deemed necessary for such adoptions:
11 *Provided further*, That such services shall be provided con-
12 sistent with 42 CFR 59.5(a)(4): *Provided further*, That
13 of the funds made available under this heading,
14 \$5,000,000 shall be for carrying out prize competitions
15 sponsored by the Office of the Secretary to accelerate in-
16 novation in the prevention, diagnosis, and treatment of
17 kidney diseases (as authorized by section 24 of the Steven-
18 son-Wydler Technology Innovation Act of 1980 (15 U.S.C.
19 3719)).

20 MEDICARE HEARINGS AND APPEALS

21 For expenses necessary for Medicare hearings and
22 appeals in the Office of the Secretary, \$191,881,000 shall
23 remain available until September 30, 2021, to be trans-
24 ferred in appropriate part from the Federal Hospital In-

1 insurance Trust Fund and the Federal Supplementary Med-
2 ical Insurance Trust Fund.

3 OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH
4 INFORMATION TECHNOLOGY

5 For expenses necessary for the Office of the National
6 Coordinator for Health Information Technology, including
7 grants, contracts, and cooperative agreements for the de-
8 velopment and advancement of interoperable health infor-
9 mation technology, \$60,367,000.

10 OFFICE OF INSPECTOR GENERAL

11 For expenses necessary for the Office of Inspector
12 General, including the hire of passenger motor vehicles for
13 investigations, in carrying out the provisions of the Inspec-
14 tor General Act of 1978, \$80,000,000: *Provided*, That of
15 such amount, necessary sums shall be available for pro-
16 viding protective services to the Secretary and inves-
17 tigating non-payment of child support cases for which non-
18 payment is a Federal offense under 18 U.S.C. 228.

19 OFFICE FOR CIVIL RIGHTS

20 For expenses necessary for the Office for Civil
21 Rights, \$38,798,000.

22 RETIREMENT PAY AND MEDICAL BENEFITS FOR
23 COMMISSIONED OFFICERS

24 For retirement pay and medical benefits of Public
25 Health Service Commissioned Officers as authorized by

1 law, for payments under the Retired Serviceman's Family
2 Protection Plan and Survivor Benefit Plan, and for med-
3 ical care of dependents and retired personnel under the
4 Dependents' Medical Care Act, such amounts as may be
5 required during the current fiscal year.

6 PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY

7 FUND

8 For expenses necessary to support activities related
9 to countering potential biological, nuclear, radiological,
10 chemical, and cybersecurity threats to civilian populations,
11 and for other public health emergencies, \$1,037,458,000,
12 of which \$561,700,000 shall remain available through
13 September 30, 2021, for expenses necessary to support
14 advanced research and development pursuant to section
15 319L of the PHS Act and other administrative expenses
16 of the Biomedical Advanced Research and Development
17 Authority: *Provided*, That funds provided under this head-
18 ing for the purpose of acquisition of security counter-
19 measures shall be in addition to any other funds available
20 for such purpose: *Provided further*, That products pur-
21 chased with funds provided under this heading may, at
22 the discretion of the Secretary, be deposited in the Stra-
23 tegic National Stockpile pursuant to section 319F-2 of
24 the PHS Act: *Provided further*, That \$5,000,000 of the

1 amounts made available to support emergency operations
2 shall remain available through September 30, 2022.

3 For expenses necessary for procuring security coun-
4 termeasures (as defined in section 319F–2(c)(1)(B) of the
5 PHS Act), \$735,000,000, to remain available until ex-
6 pended.

7 For expenses necessary to carry out section 319F–
8 2(a) of the PHS Act, \$705,000,000, to remain available
9 until expended.

10 For an additional amount for expenses necessary to
11 prepare for or respond to an influenza pandemic,
12 \$260,000,000; of which \$225,000,000 shall be available
13 until expended, for activities including the development
14 and purchase of vaccine, antivirals, necessary medical sup-
15 plies, diagnostics, and other surveillance tools: *Provided,*
16 That notwithstanding section 496(b) of the PHS Act,
17 funds may be used for the construction or renovation of
18 privately owned facilities for the production of pandemic
19 influenza vaccines and other biologics, if the Secretary
20 finds such construction or renovation necessary to secure
21 sufficient supplies of such vaccines or biologics.

22 GENERAL PROVISIONS

23 SEC. 201. Funds appropriated in this title shall be
24 available for not to exceed \$50,000 for official reception

1 and representation expenses when specifically approved by
2 the Secretary.

3 SEC. 202. None of the funds appropriated in this title
4 shall be used to pay the salary of an individual, through
5 a grant or other extramural mechanism, at a rate in excess
6 of Executive Level II: *Provided*, That none of the funds
7 appropriated in this title shall be used to prevent the NIH
8 from paying up to 100 percent of the salary of an indi-
9 vidual at this rate.

10 SEC. 203. None of the funds appropriated in this Act
11 may be expended pursuant to section 241 of the PHS Act,
12 except for funds specifically provided for in this Act, or
13 for other taps and assessments made by any office located
14 in HHS, prior to the preparation and submission of a re-
15 port by the Secretary to the Committees on Appropria-
16 tions of the House of Representatives and the Senate de-
17 tailing the planned uses of such funds.

18 SEC. 204. Notwithstanding section 241(a) of the
19 PHS Act, such portion as the Secretary shall determine,
20 but not more than 2.5 percent, of any amounts appro-
21 priated for programs authorized under such Act shall be
22 made available for the evaluation (directly, or by grants
23 or contracts) and the implementation and effectiveness of
24 programs funded in this title.

1 (TRANSFER OF FUNDS)

2 SEC. 205. Not to exceed 1 percent of any discre-
3 tionary funds (pursuant to the Balanced Budget and
4 Emergency Deficit Control Act of 1985) which are appro-
5 priated for the current fiscal year for HHS in this Act
6 may be transferred between appropriations, but no such
7 appropriation shall be increased by more than 3 percent
8 by any such transfer: *Provided*, That the transfer author-
9 ity granted by this section shall not be used to create any
10 new program or to fund any project or activity for which
11 no funds are provided in this Act: *Provided further*, That
12 the Committees on Appropriations of the House of Rep-
13 resentatives and the Senate are notified at least 15 days
14 in advance of any transfer.

15 SEC. 206. In lieu of the timeframe specified in section
16 338E(c)(2) of the PHS Act, terminations described in
17 such section may occur up to 60 days after the effective
18 date of a contract awarded in fiscal year 2020 under sec-
19 tion 338B of such Act, or at any time if the individual
20 who has been awarded such contract has not received
21 funds due under the contract.

22 SEC. 207. None of the funds appropriated in this Act
23 may be made available to any entity under title X of the
24 PHS Act unless the applicant for the award certifies to
25 the Secretary that it encourages family participation in

1 the decision of minors to seek family planning services and
2 that it provides counseling to minors on how to resist at-
3 tempts to coerce minors into engaging in sexual activities.

4 SEC. 208. Notwithstanding any other provision of
5 law, no provider of services under title X of the PHS Act
6 shall be exempt from any State law requiring notification
7 or the reporting of child abuse, child molestation, sexual
8 abuse, rape, or incest.

9 SEC. 209. None of the funds appropriated by this Act
10 (including funds appropriated to any trust fund) may be
11 used to carry out the Medicare Advantage program if the
12 Secretary denies participation in such program to an oth-
13 erwise eligible entity (including a Provider Sponsored Or-
14 ganization) because the entity informs the Secretary that
15 it will not provide, pay for, provide coverage of, or provide
16 referrals for abortions: *Provided*, That the Secretary shall
17 make appropriate prospective adjustments to the capita-
18 tion payment to such an entity (based on an actuarially
19 sound estimate of the expected costs of providing the serv-
20 ice to such entity's enrollees): *Provided further*, That noth-
21 ing in this section shall be construed to change the Medi-
22 care program's coverage for such services and a Medicare
23 Advantage organization described in this section shall be
24 responsible for informing enrollees where to obtain infor-
25 mation about all Medicare covered services.

1 SEC. 210. None of the funds made available in this
2 title may be used, in whole or in part, to advocate or pro-
3 mote gun control.

4 SEC. 211. The Secretary shall make available through
5 assignment not more than 60 employees of the Public
6 Health Service to assist in child survival activities and to
7 work in AIDS programs through and with funds provided
8 by the Agency for International Development, the United
9 Nations International Children's Emergency Fund or the
10 World Health Organization.

11 SEC. 212. In order for HHS to carry out inter-
12 national health activities, including HIV/AIDS and other
13 infectious disease, chronic and environmental disease, and
14 other health activities abroad during fiscal year 2020:

15 (1) The Secretary may exercise authority equiv-
16 alent to that available to the Secretary of State in
17 section 2(c) of the State Department Basic Authori-
18 ties Act of 1956. The Secretary shall consult with
19 the Secretary of State and relevant Chief of Mission
20 to ensure that the authority provided in this section
21 is exercised in a manner consistent with section 207
22 of the Foreign Service Act of 1980 and other appli-
23 cable statutes administered by the Department of
24 State.

1 (2) The Secretary is authorized to provide such
2 funds by advance or reimbursement to the Secretary
3 of State as may be necessary to pay the costs of ac-
4 quisition, lease, alteration, renovation, and manage-
5 ment of facilities outside of the United States for
6 the use of HHS. The Department of State shall co-
7 operate fully with the Secretary to ensure that HHS
8 has secure, safe, functional facilities that comply
9 with applicable regulation governing location, set-
10 back, and other facilities requirements and serve the
11 purposes established by this Act. The Secretary is
12 authorized, in consultation with the Secretary of
13 State, through grant or cooperative agreement, to
14 make available to public or nonprofit private institu-
15 tions or agencies in participating foreign countries,
16 funds to acquire, lease, alter, or renovate facilities in
17 those countries as necessary to conduct programs of
18 assistance for international health activities, includ-
19 ing activities relating to HIV/AIDS and other infec-
20 tious diseases, chronic and environmental diseases,
21 and other health activities abroad.

22 (3) The Secretary is authorized to provide to
23 personnel appointed or assigned by the Secretary to
24 serve abroad, allowances and benefits similar to
25 those provided under chapter 9 of title I of the For-

1 (TRANSFER OF FUNDS)

2 SEC. 214. Of the amounts made available in this Act
3 for NIH, the amount for research related to the human
4 immunodeficiency virus, as jointly determined by the Di-
5 rector of NIH and the Director of the Office of AIDS Re-
6 search, shall be made available to the “Office of AIDS
7 Research” account. The Director of the Office of AIDS
8 Research shall transfer from such account amounts nec-
9 essary to carry out section 2353(d)(3) of the PHS Act.

10 SEC. 215. (a) AUTHORITY.—Notwithstanding any
11 other provision of law, the Director of NIH (“Director”)
12 may use funds authorized under section 402(b)(12) of the
13 PHS Act to enter into transactions (other than contracts,
14 cooperative agreements, or grants) to carry out research
15 identified pursuant to or research and activities described
16 in such section 402(b)(12).

17 (b) PEER REVIEW.—In entering into transactions
18 under subsection (a), the Director may utilize such peer
19 review procedures (including consultation with appropriate
20 scientific experts) as the Director determines to be appro-
21 priate to obtain assessments of scientific and technical
22 merit. Such procedures shall apply to such transactions
23 in lieu of the peer review and advisory council review pro-
24 cedures that would otherwise be required under sections

1 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492,
2 and 494 of the PHS Act.

3 SEC. 216. Not to exceed \$45,000,000 of funds appro-
4 priated by this Act to the institutes and centers of the
5 National Institutes of Health may be used for alteration,
6 repair, or improvement of facilities, as necessary for the
7 proper and efficient conduct of the activities authorized
8 herein, at not to exceed \$3,500,000 per project.

9 (TRANSFER OF FUNDS)

10 SEC. 217. Of the amounts made available for NIH,
11 1 percent of the amount made available for National Re-
12 search Service Awards (“NRSA”) shall be made available
13 to the Administrator of the Health Resources and Services
14 Administration to make NRSA awards for research in pri-
15 mary medical care to individuals affiliated with entities
16 who have received grants or contracts under sections 736,
17 739, or 747 of the PHS Act, and 1 percent of the amount
18 made available for NRSA shall be made available to the
19 Director of the Agency for Healthcare Research and Qual-
20 ity to make NRSA awards for health service research.

21 SEC. 218. (a) The Biomedical Advanced Research
22 and Development Authority (“BARDA”) may enter into
23 a contract, for more than one but no more than 10 pro-
24 gram years, for purchase of research services or of security
25 countermeasures, as that term is defined in section 319F–

1 2(c)(1)(B) of the PHS Act (42 U.S.C. 247d–6b(c)(1)(B)),
2 if—

3 (1) funds are available and obligated—

4 (A) for the full period of the contract or
5 for the first fiscal year in which the contract is
6 in effect; and

7 (B) for the estimated costs associated with
8 a necessary termination of the contract; and

9 (2) the Secretary determines that a multi-year
10 contract will serve the best interests of the Federal
11 Government by encouraging full and open competi-
12 tion or promoting economy in administration, per-
13 formance, and operation of BARDA’s programs.

14 (b) A contract entered into under this section—

15 (1) shall include a termination clause as de-
16 scribed by subsection (c) of section 3903 of title 41,
17 United States Code; and

18 (2) shall be subject to the congressional notice
19 requirement stated in subsection (d) of such section.

20 SEC. 219. (a) The Secretary shall publish in the fiscal
21 year 2021 budget justification and on Departmental Web
22 sites information concerning the employment of full-time
23 equivalent Federal employees or contractors for the pur-
24 poses of implementing, administering, enforcing, or other-
25 wise carrying out the provisions of the ACA, and the

1 amendments made by that Act, in the proposed fiscal year
2 and each fiscal year since the enactment of the ACA.

3 (b) With respect to employees or contractors sup-
4 ported by all funds appropriated for purposes of carrying
5 out the ACA (and the amendments made by that Act),
6 the Secretary shall include, at a minimum, the following
7 information:

8 (1) For each such fiscal year, the section of
9 such Act under which such funds were appropriated,
10 a statement indicating the program, project, or ac-
11 tivity receiving such funds, the Federal operating di-
12 vision or office that administers such program, and
13 the amount of funding received in discretionary or
14 mandatory appropriations.

15 (2) For each such fiscal year, the number of
16 full-time equivalent employees or contracted employ-
17 ees assigned to each authorized and funded provision
18 detailed in accordance with paragraph (1).

19 (c) In carrying out this section, the Secretary may
20 exclude from the report employees or contractors who—

21 (1) are supported through appropriations en-
22 acted in laws other than the ACA and work on pro-
23 grams that existed prior to the passage of the ACA;

1 (2) spend less than 50 percent of their time on
2 activities funded by or newly authorized in the ACA;
3 or

4 (3) work on contracts for which FTE reporting
5 is not a requirement of their contract, such as fixed-
6 price contracts.

7 SEC. 220. The Secretary shall publish, as part of the
8 fiscal year 2021 budget of the President submitted under
9 section 1105(a) of title 31, United States Code, informa-
10 tion that details the uses of all funds used by the Centers
11 for Medicare & Medicaid Services specifically for Health
12 Insurance Exchanges for each fiscal year since the enact-
13 ment of the ACA and the proposed uses for such funds
14 for fiscal year 2021. Such information shall include, for
15 each such fiscal year, the amount of funds used for each
16 activity specified under the heading “Health Insurance
17 Exchange Transparency” in the explanatory statement de-
18 scribed in section 4 (in the matter preceding division A
19 of this consolidated Act).

20 SEC. 221. None of the funds made available by this
21 Act from the Federal Hospital Insurance Trust Fund or
22 the Federal Supplemental Medical Insurance Trust Fund,
23 or transferred from other accounts funded by this Act to
24 the “Centers for Medicare & Medicaid Services—Program
25 Management” account, may be used for payments under

1 section 1342(b)(1) of Public Law 111–148 (relating to
2 risk corridors).

3 (TRANSFER OF FUNDS)

4 SEC. 222. (a) Within 45 days of enactment of this
5 Act, the Secretary shall transfer funds appropriated under
6 section 4002 of the ACA to the accounts specified, in the
7 amounts specified, and for the activities specified under
8 the heading “Prevention and Public Health Fund” in the
9 explanatory statement described in section 4 (in the mat-
10 ter preceding division A of this consolidated Act).

11 (b) Notwithstanding section 4002(c) of the ACA, the
12 Secretary may not further transfer these amounts.

13 (c) Funds transferred for activities authorized under
14 section 2821 of the PHS Act shall be made available with-
15 out reference to section 2821(b) of such Act.

16 SEC. 223. Effective during the period beginning on
17 November 1, 2015 and ending January 1, 2022, any pro-
18 vision of law that refers (including through cross-reference
19 to another provision of law) to the current recommenda-
20 tions of the United States Preventive Services Task Force
21 with respect to breast cancer screening, mammography,
22 and prevention shall be administered by the Secretary in-
23 volved as if—

24 (1) such reference to such current recommenda-
25 tions were a reference to the recommendations of

1 such Task Force with respect to breast cancer
2 screening, mammography, and prevention last issued
3 before 2009; and

4 (2) such recommendations last issued before
5 2009 applied to any screening mammography modal-
6 ity under section 1861(jj) of the Social Security Act
7 (42 U.S.C. 1395x(jj)).

8 SEC. 224. In making Federal financial assistance, the
9 provisions relating to indirect costs in part 75 of title 45,
10 Code of Federal Regulations, including with respect to the
11 approval of deviations from negotiated rates, shall con-
12 tinue to apply to the National Institutes of Health to the
13 same extent and in the same manner as such provisions
14 were applied in the third quarter of fiscal year 2017. None
15 of the funds appropriated in this or prior Acts or otherwise
16 made available to the Department of Health and Human
17 Services or to any department or agency may be used to
18 develop or implement a modified approach to such provi-
19 sions, or to intentionally or substantially expand the fiscal
20 effect of the approval of such deviations from negotiated
21 rates beyond the proportional effect of such approvals in
22 such quarter.

23 (TRANSFER OF FUNDS)

24 SEC. 225. The NIH Director may transfer funds spe-
25 cifically appropriated for opioid addiction, opioid alter-

1 natives, pain management, and addiction treatment to
2 other Institutes and Centers of the NIH to be used for
3 the same purpose 15 days after notifying the Committees
4 on Appropriations: *Provided*, That the transfer authority
5 provided in the previous proviso is in addition to any other
6 transfer authority provided by law.

7 SEC. 226. (a) The Secretary shall provide to the
8 Committees on Appropriations of the House of Represent-
9 atives and the Senate:

10 (1) Detailed monthly enrollment figures from
11 the Exchanges established under the Patient Protec-
12 tion and Affordable Care Act of 2010 pertaining to
13 enrollments during the open enrollment period; and

14 (2) Notification of any new or competitive grant
15 awards, including supplements, authorized under
16 section 330 of the Public Health Service Act.

17 (b) The Committees on Appropriations of the House
18 and Senate must be notified at least 2 business days in
19 advance of any public release of enrollment information
20 or the award of such grants.

21 SEC. 227. In addition to the amounts otherwise avail-
22 able for “Centers for Medicare & Medicaid Services, Pro-
23 gram Management”, the Secretary of Health and Human
24 Services may transfer up to \$305,000,000 to such account
25 from the Federal Hospital Insurance Trust Fund and the

1 Federal Supplementary Medical Insurance Trust Fund to
2 support program management activity related to the Medi-
3 care Program: *Provided*, That except for the foregoing
4 purpose, such funds may not be used to support any provi-
5 sion of Public Law 111–148 or Public Law 111–152 (or
6 any amendment made by either such Public Law) or to
7 supplant any other amounts within such account.

8 SEC. 228. The Department of Health and Human
9 Services shall provide the Committees on Appropriations
10 of the House of Representatives and Senate a biannual
11 report 30 days after enactment of this Act on staffing de-
12 scribed in the explanatory statement described in section
13 4 (in the matter preceding division A of this consolidated
14 Act).

15 SEC. 229. Funds appropriated in this Act that are
16 available for salaries and expenses of employees of the De-
17 partment of Health and Human Services shall also be
18 available to pay travel and related expenses of such an
19 employee or of a member of his or her family, when such
20 employee is assigned to duty, in the United States or in
21 a U.S. territory, during a period and in a location that
22 are the subject of a determination of a public health emer-
23 gency under section 319 of the Public Health Service Act
24 and such travel is necessary to obtain medical care for
25 an illness, injury, or medical condition that cannot be ade-

1 quately addressed in that location at that time. For pur-
2 poses of this section, the term “U.S. territory” means
3 Guam, the Commonwealth of Puerto Rico, the Northern
4 Mariana Islands, the Virgin Islands, American Samoa, or
5 the Trust Territory of the Pacific Islands.

6 SEC. 230. The Department of Health and Human
7 Services may accept donations from the private sector,
8 nongovernmental organizations, and other groups inde-
9 pendent of the Federal Government for the care of unac-
10 companied alien children (as defined in section 462(g)(2)
11 of the Homeland Security Act of 2002 (6 U.S.C.
12 279(g)(2))) in the care of the Office of Refugee Resettle-
13 ment of the Administration for Children and Families, in-
14 cluding medical goods and services, which may include
15 early childhood developmental screenings, school supplies,
16 toys, clothing, and any other items intended to promote
17 the wellbeing of such children.

18 SEC. 231. (a) None of the funds provided by this or
19 any prior appropriations Act may be used to reverse
20 changes in procedures made by operational directives
21 issued to providers by the Office of Refugee Resettlement
22 on December 18, 2018, March 23, 2019, and June 10,
23 2019 regarding the Memorandum of Agreement on Infor-
24 mation Sharing executed April 13, 2018.

1 (b) Notwithstanding subsection (a), the Secretary
2 may make changes to such operational directives upon
3 making a determination that such changes are necessary
4 to prevent unaccompanied alien children from being placed
5 in danger, and the Secretary shall provide a written jus-
6 tification to Congress and the Inspector General of the
7 Department of Health and Human Services in advance of
8 implementing such changes.

9 (c) Within 15 days of the Secretary’s communication
10 of the justification, the Inspector General of the Depart-
11 ment of Health and Human Services shall provide an as-
12 sessment, in writing, to the Secretary and to Committees
13 on Appropriations of the House of Representatives and the
14 Senate of whether such changes to operational directives
15 are necessary to prevent unaccompanied children from
16 being placed in danger.

17 SEC. 232. None of the funds made available in this
18 Act under the heading “Department of Health and
19 Human Services—Administration for Children and Fami-
20 lies—Refugee and Entrant Assistance” may be obligated
21 to a grantee or contractor to house unaccompanied alien
22 children (as such term is defined in section 462(g)(2) of
23 the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2)))
24 in any facility that is not State-licensed for the care of
25 unaccompanied alien children, except in the case that the

1 Secretary determines that housing unaccompanied alien
2 children in such a facility is necessary on a temporary
3 basis due to an influx of such children or an emergency,
4 provided that—

5 (1) the terms of the grant or contract for the
6 operations of any such facility that remains in oper-
7 ation for more than six consecutive months shall re-
8 quire compliance with—

9 (A) the same requirements as licensed
10 placements, as listed in Exhibit 1 of the Flores
11 Settlement Agreement that the Secretary deter-
12 mines are applicable to non-State licensed facili-
13 ties; and

14 (B) staffing ratios of one (1) on-duty
15 Youth Care Worker for every eight (8) children
16 or youth during waking hours, one (1) on-duty
17 Youth Care Worker for every sixteen (16) chil-
18 dren or youth during sleeping hours, and clini-
19 cian ratios to children (including mental health
20 providers) as required in grantee cooperative
21 agreements;

22 (2) the Secretary may grant a 60-day waiver
23 for a contractor's or grantee's non-compliance with
24 paragraph (1) if the Secretary certifies and provides

1 a report to Congress on the contractor's or grantee's
2 good-faith efforts and progress towards compliance;

3 (3) not more than four consecutive waivers
4 under paragraph (2) may be granted to a contractor
5 or grantee with respect to a specific facility;

6 (4) ORR shall ensure full adherence to the
7 monitoring requirements set forth in section 5.5 of
8 its Policies and Procedures Guide as of May 15,
9 2019;

10 (5) for any such unlicensed facility in operation
11 for more than three consecutive months, ORR shall
12 conduct a minimum of one comprehensive moni-
13 toring visit during the first three months of oper-
14 ation, with quarterly monitoring visits thereafter;
15 and

16 (6) not later than 60 days after the date of en-
17 actment of this Act, ORR shall brief the Committees
18 on Appropriations of the House of Representatives
19 and the Senate outlining the requirements of ORR
20 for influx facilities including any requirement listed
21 in paragraph (1)(A) that the Secretary has deter-
22 mined are not applicable to non-State licensed facili-
23 ties.

24 SEC. 233. In addition to the existing Congressional
25 notification for formal site assessments of potential influx

1 facilities, the Secretary shall notify the Committees on Ap-
2 propriations of the House of Representatives and the Sen-
3 ate at least 15 days before operationalizing an unlicensed
4 facility, and shall (1) specify whether the facility is hard-
5 sided or soft-sided, and (2) provide analysis that indicates
6 that, in the absence of the influx facility, the likely out-
7 come is that unaccompanied alien children will remain in
8 the custody of the Department of Homeland Security for
9 longer than 72 hours or that unaccompanied alien children
10 will be otherwise placed in danger. Within 60 days of
11 bringing such a facility online, and monthly thereafter, the
12 Secretary shall provide to the Committees on Appropria-
13 tions of the House of Representatives and the Senate a
14 report detailing the total number of children in care at
15 the facility, the average length of stay and average length
16 of care of children at the facility, and, for any child that
17 has been at the facility for more than 60 days, their length
18 of stay and reason for delay in release.

19 SEC. 234. None of the funds made available in this
20 Act may be used to prevent a United States Senator or
21 Member of the House of Representatives from entering,
22 for the purpose of conducting oversight, any facility in the
23 United States used for the purpose of maintaining custody
24 of, or otherwise housing, unaccompanied alien children (as
25 defined in section 462(g)(2) of the Homeland Security Act

1 of 2002 (6 U.S.C. 279(g)(2))), provided that such Senator
2 or Member has coordinated the oversight visit with the
3 Office of Refugee Resettlement not less than two business
4 days in advance to ensure that such visit would not inter-
5 fere with the operations (including child welfare and child
6 safety operations) of such facility.

7 SEC. 235. Not later than 14 days after the date of
8 enactment of this Act, and monthly thereafter, the Sec-
9 retary shall submit to the Committees on Appropriations
10 of the House of Representatives and the Senate, and make
11 publicly available online, a report with respect to children
12 who were separated from their parents or legal guardians
13 by the Department of Homeland Security (DHS) (regard-
14 less of whether or not such separation was pursuant to
15 an option selected by the children, parents, or guardians),
16 subsequently classified as unaccompanied alien children,
17 and transferred to the care and custody of ORR during
18 the previous month. Each report shall contain the fol-
19 lowing information:

20 (1) the number and ages of children so sepa-
21 rated subsequent to apprehension at or between
22 ports of entry, to be reported by sector where sepa-
23 ration occurred; and

24 (2) the documented cause of separation, as re-
25 ported by DHS when each child was referred.

1 SEC. 236. Funds appropriated in this Act that are
2 available for salaries and expenses of employees of the
3 Centers for Disease Control and Prevention shall also be
4 available for the primary and secondary schooling of eligi-
5 ble dependents of personnel stationed in a U.S. territory
6 as defined in section 229 of this Act at costs not in excess
7 of those paid for or reimbursed by the Department of De-
8 fense.

9 SEC. 237. Of the unobligated balances available in
10 the “Nonrecurring Expenses Fund” established in section
11 223 of division G of Public Law 110–161, \$225,000,000,
12 in addition to any funds otherwise made available for such
13 purpose in this or subsequent fiscal years, shall be avail-
14 able for buildings and facilities at the National Institutes
15 of Health.

16 SEC. 238. Of the unobligated balances available in
17 the “Nonrecurring Expenses Fund” established in section
18 223 of division G of Public Law 110–161, \$225,000,000,
19 shall be available for acquisition of real property, equip-
20 ment, construction, demolition, installation, renovation of
21 facilities, and related infrastructure improvements for the
22 Centers for Disease Control and Prevention’s Chamblee
23 Campus.

24 SEC. 239. Of the funds provided under the heading
25 “CDC-Wide Activities and Program Support”,

1 \$85,000,000, to remain available until expended, shall be
2 available to the Director of the CDC for deposit in the
3 Infectious Diseases Rapid Response Reserve Fund estab-
4 lished by section 231 of division B of Public Law 115-
5 245: *Provided*, That such amount may be available for
6 Ebola preparedness and response activities without regard
7 to the limitations in the third proviso in such section 231.

8 (RESCISSION)

9 SEC. 240. Of the unobligated balances in the “Non-
10 recurring Expenses Fund” established in section 223 of
11 division G of Public Law 110-161, \$350,000,000 are
12 hereby rescinded not later than September 30, 2020.

13 This title may be cited as the “Department of Health
14 and Human Services Appropriations Act, 2020”.

1 TITLE III
2 DEPARTMENT OF EDUCATION
3 EDUCATION FOR THE DISADVANTAGED

4 For carrying out title I and subpart 2 of part B of
5 title II of the Elementary and Secondary Education Act
6 of 1965 (referred to in this Act as “ESEA”) and section
7 418A of the Higher Education Act of 1965 (referred to
8 in this Act as “HEA”), \$16,996,790,000, of which
9 \$6,077,990,000 shall become available on July 1, 2020,
10 and shall remain available through September 30, 2021,
11 and of which \$10,841,177,000 shall become available on
12 October 1, 2020, and shall remain available through Sep-
13 tember 30, 2021, for academic year 2020–2021: *Provided*,
14 That \$6,459,401,000 shall be for basic grants under sec-
15 tion 1124 of the ESEA: *Provided further*, That up to
16 \$5,000,000 of these funds shall be available to the Sec-
17 retary of Education (referred to in this title as “Sec-
18 retary”) on October 1, 2019, to obtain annually updated
19 local educational agency-level census poverty data from
20 the Bureau of the Census: *Provided further*, That
21 \$1,362,301,000 shall be for concentration grants under
22 section 1124A of the ESEA: *Provided further*, That
23 \$4,244,050,000 shall be for targeted grants under section
24 1125 of the ESEA: *Provided further*, That
25 \$4,244,050,000 shall be for education finance incentive

1 grants under section 1125A of the ESEA: *Provided fur-*
2 *ther*, That \$219,000,000 shall be for carrying out subpart
3 2 of part B of title II: *Provided further*, That \$45,623,000
4 shall be for carrying out section 418A of the HEA.

5 IMPACT AID

6 For carrying out programs of financial assistance to
7 federally affected schools authorized by title VII of the
8 ESEA, \$1,486,112,000, of which \$1,340,242,000 shall be
9 for basic support payments under section 7003(b),
10 \$48,316,000 shall be for payments for children with dis-
11 abilities under section 7003(d), \$17,406,000 shall be for
12 construction under section 7007(a), \$75,313,000 shall be
13 for Federal property payments under section 7002, and
14 \$4,835,000, to remain available until expended, shall be
15 for facilities maintenance under section 7008: *Provided*,
16 That for purposes of computing the amount of a payment
17 for an eligible local educational agency under section
18 7003(a) for school year 2019–2020, children enrolled in
19 a school of such agency that would otherwise be eligible
20 for payment under section 7003(a)(1)(B) of such Act, but
21 due to the deployment of both parents or legal guardians,
22 or a parent or legal guardian having sole custody of such
23 children, or due to the death of a military parent or legal
24 guardian while on active duty (so long as such children
25 reside on Federal property as described in section

1 7003(a)(1)(B)), are no longer eligible under such section,
2 shall be considered as eligible students under such section,
3 provided such students remain in average daily attendance
4 at a school in the same local educational agency they at-
5 tended prior to their change in eligibility status.

6 SCHOOL IMPROVEMENT PROGRAMS

7 For carrying out school improvement activities au-
8 thorized by part B of title I, part A of title II, subpart
9 1 of part A of title IV, part B of title IV, part B of title
10 V, and parts B and C of title VI of the ESEA; the McKin-
11 ney-Vento Homeless Assistance Act; section 203 of the
12 Educational Technical Assistance Act of 2002; the Com-
13 pact of Free Association Amendments Act of 2003; and
14 the Civil Rights Act of 1964, \$5,404,967,000, of which
15 \$3,575,402,000 shall become available on July 1, 2020,
16 and remain available through September 30, 2021, and
17 of which \$1,681,441,000 shall become available on Octo-
18 ber 1, 2020, and shall remain available through September
19 30, 2021, for academic year 2020–2021: *Provided*, That
20 \$378,000,000 shall be for part B of title I: *Provided fur-*
21 *ther*, That \$1,249,673,000 shall be for part B of title IV:
22 *Provided further*, That \$36,897,000 shall be for part B
23 of title VI, which may be used for construction, renova-
24 tion, and modernization of any public elementary school,
25 secondary school, or structure related to a public elemen-

1 tary school or secondary school that serves a predomi-
2 nantly Native Hawaiian student body, and that the 5 per-
3 cent limitation in section 6205(b) of the ESEA on the use
4 of funds for administrative purposes shall apply only to
5 direct administrative costs: *Provided further*, That
6 \$35,953,000 shall be for part C of title VI, which shall
7 be awarded on a competitive basis, and may be used for
8 construction, and that the 5 percent limitation in section
9 6305 of the ESEA on the use of funds for administrative
10 purposes shall apply only to direct administrative costs:
11 *Provided further*, That \$52,000,000 shall be available to
12 carry out section 203 of the Educational Technical Assist-
13 ance Act of 2002 and the Secretary shall make such ar-
14 rangements as determined to be necessary to ensure that
15 the Bureau of Indian Education has access to services pro-
16 vided under this section: *Provided further*, That
17 \$16,699,000 shall be available to carry out the Supple-
18 mental Education Grants program for the Federated
19 States of Micronesia and the Republic of the Marshall Is-
20 lands: *Provided further*, That the Secretary may reserve
21 up to 5 percent of the amount referred to in the previous
22 proviso to provide technical assistance in the implementa-
23 tion of these grants: *Provided further*, That \$185,840,000
24 shall be for part B of title V: *Provided further*, That

1 \$1,210,000,000 shall be available for grants under sub-
2 part 1 of part A of title IV.

3 INDIAN EDUCATION

4 For expenses necessary to carry out, to the extent
5 not otherwise provided, title VI, part A of the ESEA,
6 \$180,739,000, of which \$67,993,000 shall be for subpart
7 2 of part A of title VI and \$7,365,000 shall be for subpart
8 3 of part A of title VI: *Provided*, That the 5 percent limita-
9 tion in sections 6115(d), 6121(e), and 6133(g) of the
10 ESEA on the use of funds for administrative purposes
11 shall apply only to direct administrative costs.

12 INNOVATION AND IMPROVEMENT

13 For carrying out activities authorized by subparts 1,
14 3 and 4 of part B of title II, and parts C, D, and E and
15 subparts 1 and 4 of part F of title IV of the ESEA,
16 \$1,103,815,000: *Provided*, That \$284,815,000 shall be for
17 subparts 1, 3 and 4 of part B of title II and shall be made
18 available without regard to sections 2201, 2231(b) and
19 2241: *Provided further*, That \$629,000,000 shall be for
20 parts C, D, and E and subpart 4 of part F of title IV,
21 and shall be made available without regard to sections
22 4311, 4409(a), and 4601 of the ESEA: *Provided further*,
23 That section 4303(d)(3)(A)(i) shall not apply to the funds
24 available for part C of title IV: *Provided further*, That of
25 the funds available for part C of title IV, the Secretary

1 shall use \$60,000,000 to carry out section 4304, of which
2 not more than \$10,000,000 shall be available to carry out
3 section 4304(k), \$140,000,000, to remain available
4 through March 31, 2021, to carry out section 4305(b),
5 and not more than \$15,000,000 to carry out the activities
6 in section 4305(a)(3): *Provided further*, That notwith-
7 standing section 4601(b), \$190,000,000 shall be available
8 through December 31, 2020 for subpart 1 of part F of
9 title IV.

10 SAFE SCHOOLS AND CITIZENSHIP EDUCATION

11 For carrying out activities authorized by subparts 2
12 and 3 of part F of title IV of the ESEA, \$210,000,000:
13 *Provided*, That \$105,000,000 shall be available for section
14 4631, of which up to \$5,000,000, to remain available until
15 expended, shall be for the Project School Emergency Re-
16 sponse to Violence (Project SERV) program: *Provided fur-*
17 *ther*, That \$25,000,000 shall be available for section 4625:
18 *Provided further*, That \$80,000,000 shall be available
19 through December 31, 2020, for section 4624, of which
20 \$6,000,000 shall be for additional two-year extension
21 awards to grantees that received such awards in fiscal year
22 2018.

23 ENGLISH LANGUAGE ACQUISITION

24 For carrying out part A of title III of the ESEA,
25 \$787,400,000, which shall become available on July 1,

1 2020, and shall remain available through September 30,
2 2021, except that 6.5 percent of such amount shall be
3 available on October 1, 2019, and shall remain available
4 through September 30, 2021, to carry out activities under
5 section 3111(c)(1)(C).

6 SPECIAL EDUCATION

7 For carrying out the Individuals with Disabilities
8 Education Act (IDEA) and the Special Olympics Sport
9 and Empowerment Act of 2004, \$13,885,228,000, of
10 which \$4,352,129,000 shall become available on July 1,
11 2020, and shall remain available through September 30,
12 2021, and of which \$9,283,383,000 shall become available
13 on October 1, 2020, and shall remain available through
14 September 30, 2021, for academic year 2020–2021: *Pro-*
15 *vided*, That the amount for section 611(b)(2) of the IDEA
16 shall be equal to the lesser of the amount available for
17 that activity during fiscal year 2019, increased by the
18 amount of inflation as specified in section 619(d)(2)(B)
19 of the IDEA, or the percent change in the funds appro-
20 priated under section 611(i) of the IDEA, but not less
21 than the amount for that activity during fiscal year 2019:
22 *Provided further*, That the Secretary shall, without regard
23 to section 611(d) of the IDEA, distribute to all other
24 States (as that term is defined in section 611(g)(2)), sub-
25 ject to the third proviso, any amount by which a State's

1 allocation under section 611, from funds appropriated
2 under this heading, is reduced under section
3 612(a)(18)(B), according to the following: 85 percent on
4 the basis of the States' relative populations of children
5 aged 3 through 21 who are of the same age as children
6 with disabilities for whom the State ensures the avail-
7 ability of a free appropriate public education under this
8 part, and 15 percent to States on the basis of the States'
9 relative populations of those children who are living in pov-
10 erty: *Provided further*, That the Secretary may not dis-
11 tribute any funds under the previous proviso to any State
12 whose reduction in allocation from funds appropriated
13 under this heading made funds available for such a dis-
14 tribution: *Provided further*, That the States shall allocate
15 such funds distributed under the second proviso to local
16 educational agencies in accordance with section 611(f):
17 *Provided further*, That the amount by which a State's allo-
18 cation under section 611(d) of the IDEA is reduced under
19 section 612(a)(18)(B) and the amounts distributed to
20 States under the previous provisos in fiscal year 2012 or
21 any subsequent year shall not be considered in calculating
22 the awards under section 611(d) for fiscal year 2013 or
23 for any subsequent fiscal years: *Provided further*, That,
24 notwithstanding the provision in section 612(a)(18)(B) re-
25 garding the fiscal year in which a State's allocation under

1 section 611(d) is reduced for failure to comply with the
2 requirement of section 612(a)(18)(A), the Secretary may
3 apply the reduction specified in section 612(a)(18)(B) over
4 a period of consecutive fiscal years, not to exceed five,
5 until the entire reduction is applied: *Provided further*,
6 That the Secretary may, in any fiscal year in which a
7 State's allocation under section 611 is reduced in accord-
8 ance with section 612(a)(18)(B), reduce the amount a
9 State may reserve under section 611(e)(1) by an amount
10 that bears the same relation to the maximum amount de-
11 scribed in that paragraph as the reduction under section
12 612(a)(18)(B) bears to the total allocation the State
13 would have received in that fiscal year under section
14 611(d) in the absence of the reduction: *Provided further*,
15 That the Secretary shall either reduce the allocation of
16 funds under section 611 for any fiscal year following the
17 fiscal year for which the State fails to comply with the
18 requirement of section 612(a)(18)(A) as authorized by
19 section 612(a)(18)(B), or seek to recover funds under sec-
20 tion 452 of the General Education Provisions Act (20
21 U.S.C. 1234a): *Provided further*, That the funds reserved
22 under 611(c) of the IDEA may be used to provide tech-
23 nical assistance to States to improve the capacity of the
24 States to meet the data collection requirements of sections
25 616 and 618 and to administer and carry out other serv-

1 ices and activities to improve data collection, coordination,
2 quality, and use under parts B and C of the IDEA: *Pro-*
3 *vided further*, That the Secretary may use funds made
4 available for the State Personnel Development Grants pro-
5 gram under part D, subpart 1 of IDEA to evaluate pro-
6 gram performance under such subpart: *Provided further*,
7 That States may use funds reserved for other State-level
8 activities under sections 611(e)(2) and 619(f) of the IDEA
9 to make subgrants to local educational agencies, institu-
10 tions of higher education, other public agencies, and pri-
11 vate non-profit organizations to carry out activities au-
12 thorized by those sections: *Provided further*, That, not-
13 withstanding section 643(e)(2)(A) of the IDEA, if 5 or
14 fewer States apply for grants pursuant to section 643(e)
15 of such Act, the Secretary shall provide a grant to each
16 State in an amount equal to the maximum amount de-
17 scribed in section 643(e)(2)(B) of such Act: *Provided fur-*
18 *ther*, That if more than 5 States apply for grants pursuant
19 to section 643(e) of the IDEA, the Secretary shall award
20 funds to those States on the basis of the States' relative
21 populations of infants and toddlers except that no such
22 State shall receive a grant in excess of the amount de-
23 scribed in section 643(e)(2)(B) of such Act.

1 REHABILITATION SERVICES

2 For carrying out, to the extent not otherwise pro-
3 vided, the Rehabilitation Act of 1973 and the Helen Keller
4 National Center Act, \$3,747,739,000, of which
5 \$3,610,040,000 shall be for grants for vocational rehabili-
6 tation services under title I of the Rehabilitation Act: *Pro-*
7 *vided*, That the Secretary may use amounts provided in
8 this Act that remain available subsequent to the reallocot-
9 ment of funds to States pursuant to section 110(b) of the
10 Rehabilitation Act for innovative activities aimed at im-
11 proving the outcomes of individuals with disabilities as de-
12 fined in section 7(20)(B) of the Rehabilitation Act, includ-
13 ing activities aimed at improving the education and post-
14 school outcomes of children receiving Supplemental Secu-
15 rity Income (“SSI”) and their families that may result
16 in long-term improvement in the SSI child recipient’s eco-
17 nomic status and self-sufficiency: *Provided further*, That
18 States may award subgrants for a portion of the funds
19 to other public and private, nonprofit entities: *Provided*
20 *further*, That any funds made available subsequent to real-
21 lotment for innovative activities aimed at improving the
22 outcomes of individuals with disabilities shall remain avail-
23 able until September 30, 2021.

1 \$1,960,686,000, of which \$1,169,686,000 shall become
2 available on July 1, 2020, and shall remain available
3 through September 30, 2021, and of which \$791,000,000
4 shall become available on October 1, 2020, and shall re-
5 main available through September 30, 2021: *Provided*,
6 That of the amounts made available for AEFILA,
7 \$13,712,000 shall be for national leadership activities
8 under section 242.

9 STUDENT FINANCIAL ASSISTANCE

10 For carrying out subparts 1, 3, and 10 of part A,
11 and part C of title IV of the HEA, \$24,520,352,000 which
12 shall remain available through September 30, 2021.

13 The maximum Pell Grant for which a student shall
14 be eligible during award year 2020–2021 shall be \$5,285.

15 STUDENT AID ADMINISTRATION

16 For Federal administrative expenses to carry out part
17 D of title I, and subparts 1, 3, 9, and 10 of part A, and
18 parts B, C, D, and E of title IV of the HEA, and subpart
19 1 of part A of title VII of the Public Health Service Act,
20 \$1,768,943,000, to remain available through September
21 30, 2021: *Provided*, That the Secretary shall allocate new
22 student loan borrower accounts to eligible student loan
23 servicers on the basis of their past performance compared
24 to all loan servicers utilizing established common metrics,
25 and on the basis of the capacity of each servicer to process

1 new and existing accounts: *Provided further*, That for stu-
2 dent loan contracts awarded prior to October 1, 2017, the
3 Secretary shall allow student loan borrowers who are con-
4 solidating Federal student loans to select from any stu-
5 dent loan servicer to service their new consolidated student
6 loan: *Provided further*, That in order to promote account-
7 ability and high-quality service to borrowers, the Secretary
8 shall not award funding for any contract solicitation for
9 a new Federal student loan servicing environment, includ-
10 ing the solicitation for the Federal Student Aid (FSA)
11 Next Generation Processing and Servicing Environment,
12 unless such an environment provides for the participation
13 of multiple student loan servicers that contract directly
14 with the Department of Education to manage a unique
15 portfolio of borrower accounts and the full life-cycle of
16 loans from disbursement to pay-off with certain limited
17 exceptions, and allocates student loan borrower accounts
18 to eligible student loan servicers based on performance:
19 *Provided further*, That the Department shall re-allocate
20 accounts from servicers for recurring non-compliance with
21 FSA guidelines, contractual requirements, and applicable
22 laws, including for failure to sufficiently inform borrowers
23 of available repayment options: *Provided further*, That
24 such servicers shall be evaluated based on their ability to
25 meet contract requirements (including an understanding

1 of Federal and State law), future performance on the con-
2 tracts, and history of compliance with applicable consumer
3 protections laws: *Provided further*, That to the extent FSA
4 permits student loan servicing subcontracting, FSA shall
5 hold prime contractors accountable for meeting the re-
6 quirements of the contract, and the performance and ex-
7 pectations of subcontractors shall be accounted for in the
8 prime contract and in the overall performance of the prime
9 contractor: *Provided further*, That FSA shall ensure that
10 the Next Generation Processing and Servicing Environ-
11 ment, or any new Federal loan servicing environment,
12 incentivize more support to borrowers at risk of delin-
13 quency or default: *Provided further*, That FSA shall en-
14 sure that in such environment contractors have the capac-
15 ity to meet and are held accountable for performance on
16 service levels; are held accountable for and have a history
17 of compliance with applicable consumer protection laws;
18 and have relevant experience and demonstrated effective-
19 ness: *Provided further*, That the Secretary shall provide
20 quarterly briefings to the Committees on Appropriations
21 and Education and Labor of the House of Representatives
22 and the Committees on Appropriations and Health, Edu-
23 cation, Labor, and Pensions of the Senate on general
24 progress related to solicitations for Federal student loan
25 servicing contracts: *Provided further*, That FSA shall

1 strengthen transparency through expanded publication of
2 aggregate data on student loan and servicer performance.

3 HIGHER EDUCATION

4 For carrying out, to the extent not otherwise pro-
5 vided, titles II, III, IV, V, VI, VII, and VIII of the HEA,
6 the Mutual Educational and Cultural Exchange Act of
7 1961, and section 117 of the Perkins Act,
8 \$2,475,792,000, of which \$24,500,000 shall remain avail-
9 able through December 31, 2020: *Provided*, That notwith-
10 standing any other provision of law, funds made available
11 in this Act to carry out title VI of the HEA and section
12 102(b)(6) of the Mutual Educational and Cultural Ex-
13 change Act of 1961 may be used to support visits and
14 study in foreign countries by individuals who are partici-
15 pating in advanced foreign language training and inter-
16 national studies in areas that are vital to United States
17 national security and who plan to apply their language
18 skills and knowledge of these countries in the fields of gov-
19 ernment, the professions, or international development:
20 *Provided further*, That of the funds referred to in the pre-
21 ceding proviso up to 1 percent may be used for program
22 evaluation, national outreach, and information dissemina-
23 tion activities: *Provided further*, That up to 1.5 percent
24 of the funds made available under chapter 2 of subpart

1 Black Colleges and Universities without regard to the limi-
2 tations within section 344(a) of the HEA.

3 In addition, \$16,000,000 shall be made available to
4 provide for the deferment of loans made under part D of
5 title III of the HEA to eligible institutions that are private
6 Historically Black Colleges and Universities, which apply
7 for the deferment of such a loan and demonstrate financial
8 need for such deferment by having a score of 2.6 or less
9 on the Department of Education's financial responsibility
10 test: *Provided*, That the loan has not been paid in full and
11 is not paid in full during the period of deferment: *Provided*
12 *further*, That during the period of deferment of such a
13 loan, interest on the loan will not accrue or be capitalized,
14 and the period of deferment shall be for at least a period
15 of 3-fiscal years and not more than 6-fiscal years: *Pro-*
16 *vided further*, That funds available under this paragraph
17 shall be used to fund eligible deferment requests submitted
18 for this purpose in fiscal year 2018: *Provided further*, That
19 the Secretary shall create and execute an outreach plan
20 to work with States and the Capital Financing Advisory
21 Board to improve outreach to States and help additional
22 public Historically Black Colleges and Universities partici-
23 pate in the program.

24 In addition, \$10,000,000 shall be made available to
25 provide for the deferment of loans made under part D of

1 title III of the HEA to eligible institutions that are public
2 Historically Black Colleges and Universities, which apply
3 for the deferment of such a loan and demonstrate financial
4 need for such deferment, which shall be determined by the
5 Secretary of Education based on factors including, but not
6 limited to, equal to or greater than 5 percent of the
7 school's operating revenue relative to its annual debt serv-
8 ice payment: *Provided*, That during the period of
9 deferment of such a loan, interest on the loan will not ac-
10 crue or be capitalized, and the period of deferment shall
11 be for at least a period of 3-fiscal years and not more
12 than 6-fiscal years.

13 In addition, for administrative expenses to carry out
14 the Historically Black College and University Capital Fi-
15 nancing Program entered into pursuant to part D of title
16 III of the HEA, \$334,000.

17 INSTITUTE OF EDUCATION SCIENCES

18 For carrying out activities authorized by the Edu-
19 cation Sciences Reform Act of 2002, the National Assess-
20 ment of Educational Progress Authorization Act, section
21 208 of the Educational Technical Assistance Act of 2002,
22 and section 664 of the Individuals with Disabilities Edu-
23 cation Act, \$623,462,000, which shall remain available
24 through September 30, 2021: *Provided*, That funds avail-
25 able to carry out section 208 of the Educational Technical

1 Assistance Act may be used to link Statewide elementary
2 and secondary data systems with early childhood, postsec-
3 ondary, and workforce data systems, or to further develop
4 such systems: *Provided further*, That up to \$6,000,000 of
5 the funds available to carry out section 208 of the Edu-
6 cational Technical Assistance Act may be used for awards
7 to public or private organizations or agencies to support
8 activities to improve data coordination, quality, and use
9 at the local, State, and national levels.

10 DEPARTMENTAL MANAGEMENT

11 PROGRAM ADMINISTRATION

12 For carrying out, to the extent not otherwise pro-
13 vided, the Department of Education Organization Act, in-
14 cluding rental of conference rooms in the District of Co-
15 lumbia and hire of three passenger motor vehicles,
16 \$430,000,000: *Provided*, That, notwithstanding any other
17 provision of law, none of the funds provided by this Act
18 or provided by previous Appropriations Acts to the De-
19 partment of Education available for obligation or expendi-
20 ture in the current fiscal year may be used for any activity
21 relating to implementing a reorganization that decentral-
22 izes, reduces the staffing level, or alters the responsibil-
23 ities, structure, authority, or functionality of the Budget
24 Service of the Department of Education, relative to the

1 organization and operation of the Budget Service as in
2 effect on January 1, 2018.

3 OFFICE FOR CIVIL RIGHTS

4 For expenses necessary for the Office for Civil
5 Rights, as authorized by section 203 of the Department
6 of Education Organization Act, \$130,000,000.

7 OFFICE OF INSPECTOR GENERAL

8 For expenses necessary for the Office of Inspector
9 General, as authorized by section 212 of the Department
10 of Education Organization Act, \$63,000,000.

11 GENERAL PROVISIONS

12 SEC. 301. No funds appropriated in this Act may be
13 used to prevent the implementation of programs of vol-
14 untary prayer and meditation in the public schools.

15 (TRANSFER OF FUNDS)

16 SEC. 302. Not to exceed 1 percent of any discre-
17 tionary funds (pursuant to the Balanced Budget and
18 Emergency Deficit Control Act of 1985) which are appro-
19 priated for the Department of Education in this Act may
20 be transferred between appropriations, but no such appro-
21 priation shall be increased by more than 3 percent by any
22 such transfer: *Provided*, That the transfer authority
23 granted by this section shall not be used to create any
24 new program or to fund any project or activity for which
25 no funds are provided in this Act: *Provided further*, That

1 the Committees on Appropriations of the House of Rep-
2 resentatives and the Senate are notified at least 15 days
3 in advance of any transfer.

4 SEC. 303. Funds appropriated in this Act and con-
5 solidated for evaluation purposes under section 8601(c) of
6 the ESEA shall be available from July 1, 2020, through
7 September 30, 2021.

8 SEC. 304. (a) An institution of higher education that
9 maintains an endowment fund supported with funds ap-
10 propriated for title III or V of the HEA for fiscal year
11 2020 may use the income from that fund to award schol-
12 arships to students, subject to the limitation in section
13 331(c)(3)(B)(i) of the HEA. The use of such income for
14 such purposes, prior to the enactment of this Act, shall
15 be considered to have been an allowable use of that in-
16 come, subject to that limitation.

17 (b) Subsection (a) shall be in effect until titles III
18 and V of the HEA are reauthorized.

19 SEC. 305. Section 114(f) of the HEA (20 U.S.C.
20 1011c(f)) is amended by striking “2019” and inserting
21 “2020”.

22 SEC. 306. Section 458(a) of the HEA (20 U.S.C.
23 1087h(a)) is amended in paragraph (4) by striking
24 “2019” and inserting “2020”.

1 cation may waive the requirements under 34 CFR
2 §668.213(b)(1) for an institution of higher education that
3 offers an associate degree, is a public institution, and is
4 located in an economically distressed county, defined as
5 a county with a poverty rate of at least 25 percent based
6 on the U.S. Census Bureau’s Small Area Income and Pov-
7 erty Estimate program data for 2017 that was impacted
8 by Hurricane Matthew.

9 (b) APPLICABILITY.—Subsection (a) shall apply to an
10 institution of higher education that otherwise would be in-
11 eligible to participate in a program under part D of title
12 IV of the Higher Education Act of 1965 on or after the
13 date of enactment of this Act due to the application of
14 34 CFR §668.206(a)(1).

15 (c) COVERAGE.—This section shall be in effect for the
16 period covered by this Act and for the succeeding fiscal
17 year.

18 SEC. 312. Of the amounts made available under this
19 title under the heading “Student Aid Administration”,
20 \$2,300,000 shall be used by the Secretary of Education
21 to conduct outreach to borrowers of loans made under part
22 D of title IV of the Higher Education Act of 1965 who
23 may intend to qualify for loan cancellation under section
24 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that
25 borrowers are meeting the terms and conditions of such

1 loan cancellation: *Provided*, That the Secretary shall spe-
2 cifically conduct outreach to assist borrowers who would
3 qualify for loan cancellation under section 455(m) of such
4 Act except that the borrower has made some, or all, of
5 the 120 required payments under a repayment plan that
6 is not described under section 455(m)(A) of such Act, to
7 encourage borrowers to enroll in a qualifying repayment
8 plan: *Provided further*, That the Secretary shall also com-
9 municate to all Direct Loan borrowers the full require-
10 ments of section 455(m) of such Act and improve the fil-
11 ing of employment certification by providing improved out-
12 reach and information such as outbound calls, electronic
13 communications, ensuring prominent access to program
14 requirements and benefits on each servicer’s website, and
15 creating an option for all borrowers to complete the entire
16 payment certification process electronically and on a cen-
17 tralized website.

18 SEC. 313. None of the funds made available by this
19 Act may be used in contravention of section 203 of the
20 Department of Education Organization Act (20 U.S.C.
21 3413).

22 SEC. 314. For an additional amount for “Department
23 of Education—Federal Direct Student Loan Program Ac-
24 count”, \$50,000,000, to remain available until expended,
25 shall be for the cost, as defined under section 502 of the

1 Congressional Budget Act of 1974, of the Secretary of
2 Education providing loan cancellation in the same manner
3 as under section 455(m) of the Higher Education Act of
4 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made
5 under part D of title IV of such Act who would qualify
6 for loan cancellation under section 455(m) except some,
7 or all, of the 120 required payments under section
8 455(m)(1)(A) do not qualify for purposes of the program
9 because they were monthly payments made in accordance
10 with graduated or extended repayment plans as described
11 under subparagraph (B) or (C) of section 455(d)(1) or
12 the corresponding repayment plan for a consolidation loan
13 made under section 455(g) and that were less than the
14 amount calculated under section 455(d)(1)(A), based on
15 a 10-year repayment period: *Provided*, That the monthly
16 payment made 12 months before the borrower applied for
17 loan cancellation as described in the matter preceding this
18 proviso and the most recent monthly payment made by
19 the borrower at the time of such application were each
20 not less than the monthly amount that would be calculated
21 under, and for which the borrower would otherwise qualify
22 for, clause (i) or (iv) of section 455(m)(1)(A) regarding
23 income-based or income-contingent repayment plans, with
24 exception for a borrower who would have otherwise been
25 eligible under this section but demonstrates an unusual

1 fluctuation of income over the past 5 years: *Provided fur-*
2 *ther*, That the total loan volume, including outstanding
3 principal, fees, capitalized interest, or accrued interest, at
4 application that is eligible for such loan cancellation by
5 such borrowers shall not exceed \$75,000,000: *Provided*
6 *further*, That the Secretary shall develop and make avail-
7 able a simple method for borrowers to apply for loan can-
8 cellation under this section within 60 days of enactment
9 of this Act: *Provided further*, That the Secretary shall pro-
10 vide loan cancellation under this section to eligible bor-
11 rowers on a first-come, first-serve basis, based on the date
12 of application and subject to both the limitation on total
13 loan volume at application for such loan cancellation speci-
14 fied in the second proviso and the availability of appropria-
15 tions under this section: *Provided further*, That no bor-
16 rower may, for the same service, receive a reduction of
17 loan obligations under both this section and section 428J,
18 428K, 428L, or 460 of such Act.

19 This title may be cited as the “Department of Edu-
20 cation Appropriations Act, 2020”.

1 TITLE IV
2 RELATED AGENCIES
3 COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE
4 BLIND OR SEVERELY DISABLED
5 SALARIES AND EXPENSES

6 For expenses necessary for the Committee for Pur-
7 chase From People Who Are Blind or Severely Disabled
8 (referred to in this title as “the Committee”) established
9 under section 8502 of title 41, United States Code,
10 \$10,000,000: *Provided*, That in order to authorize any
11 central nonprofit agency designated pursuant to section
12 8503(c) of title 41, United States Code, to perform re-
13 quirements of the Committee as prescribed under section
14 51–3.2 of title 41, Code of Federal Regulations, the Com-
15 mittee shall enter into a written agreement with any such
16 central nonprofit agency: *Provided further*, That such
17 agreement shall contain such auditing, oversight, and re-
18 porting provisions as necessary to implement chapter 85
19 of title 41, United States Code: *Provided further*, That
20 such agreement shall include the elements listed under the
21 heading “Committee For Purchase From People Who Are
22 Blind or Severely Disabled—Written Agreement Ele-
23 ments” in the explanatory statement described in section
24 4 of Public Law 114–113 (in the matter preceding division
25 A of that consolidated Act): *Provided further*, That any

1 such central nonprofit agency may not charge a fee under
2 section 51–3.5 of title 41, Code of Federal Regulations,
3 prior to executing a written agreement with the Com-
4 mittee: *Provided further*, That no less than \$1,650,000
5 shall be available for the Office of Inspector General.

6 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE
7 OPERATING EXPENSES

8 For necessary expenses for the Corporation for Na-
9 tional and Community Service (referred to in this title as
10 “CNCS”) to carry out the Domestic Volunteer Service Act
11 of 1973 (referred to in this title as “1973 Act”) and the
12 National and Community Service Act of 1990 (referred
13 to in this title as “1990 Act”), \$806,529,000, notwith-
14 standing sections 198B(b)(3), 198S(g), 501(a)(4)(C), and
15 501(a)(4)(F) of the 1990 Act: *Provided*, That of the
16 amounts provided under this heading: (1) up to 1 percent
17 of program grant funds may be used to defray the costs
18 of conducting grant application reviews, including the use
19 of outside peer reviewers and electronic management of
20 the grants cycle; (2) \$17,538,000 shall be available to pro-
21 vide assistance to State commissions on national and com-
22 munity service, under section 126(a) of the 1990 Act and
23 notwithstanding section 501(a)(5)(B) of the 1990 Act; (3)
24 \$32,500,000 shall be available to carry out subtitle E of
25 the 1990 Act; and (4) \$6,400,000 shall be available for

1 expenses authorized under section 501(a)(4)(F) of the
2 1990 Act, which, notwithstanding the provisions of section
3 198P shall be awarded by CNCS on a competitive basis:
4 *Provided further*, That for the purposes of carrying out
5 the 1990 Act, satisfying the requirements in section
6 122(c)(1)(D) may include a determination of need by the
7 local community.

8 PAYMENT TO THE NATIONAL SERVICE TRUST
9 (INCLUDING TRANSFER OF FUNDS)

10 For payment to the National Service Trust estab-
11 lished under subtitle D of title I of the 1990 Act,
12 \$208,342,000, to remain available until expended: *Pro-*
13 *vided*, That CNCS may transfer additional funds from the
14 amount provided within “Operating Expenses” allocated
15 to grants under subtitle C of title I of the 1990 Act to
16 the National Service Trust upon determination that such
17 transfer is necessary to support the activities of national
18 service participants and after notice is transmitted to the
19 Committees on Appropriations of the House of Represent-
20 atives and the Senate: *Provided further*, That amounts ap-
21 propriated for or transferred to the National Service Trust
22 may be invested under section 145(b) of the 1990 Act
23 without regard to the requirement to apportion funds
24 under 31 U.S.C. 1513(b).

1 SALARIES AND EXPENSES

2 For necessary expenses of administration as provided
3 under section 501(a)(5) of the 1990 Act and under section
4 504(a) of the 1973 Act, including payment of salaries, au-
5 thorized travel, hire of passenger motor vehicles, the rental
6 of conference rooms in the District of Columbia, the em-
7 ployment of experts and consultants authorized under 5
8 U.S.C. 3109, and not to exceed \$2,500 for official recep-
9 tion and representation expenses, \$83,737,000.

10 OFFICE OF INSPECTOR GENERAL

11 For necessary expenses of the Office of Inspector
12 General in carrying out the Inspector General Act of 1978,
13 \$5,750,000.

14 ADMINISTRATIVE PROVISIONS

15 SEC. 401. CNCS shall make any significant changes
16 to program requirements, service delivery or policy only
17 through public notice and comment rulemaking. For fiscal
18 year 2020, during any grant selection process, an officer
19 or employee of CNCS shall not knowingly disclose any cov-
20 ered grant selection information regarding such selection,
21 directly or indirectly, to any person other than an officer
22 or employee of CNCS that is authorized by CNCS to re-
23 ceive such information.

24 SEC. 402. AmeriCorps programs receiving grants
25 under the National Service Trust program shall meet an

1 overall minimum share requirement of 24 percent for the
2 first 3 years that they receive AmeriCorps funding, and
3 thereafter shall meet the overall minimum share require-
4 ment as provided in section 2521.60 of title 45, Code of
5 Federal Regulations, without regard to the operating costs
6 match requirement in section 121(e) or the member sup-
7 port Federal share limitations in section 140 of the 1990
8 Act, and subject to partial waiver consistent with section
9 2521.70 of title 45, Code of Federal Regulations.

10 SEC. 403. Donations made to CNCS under section
11 196 of the 1990 Act for the purposes of financing pro-
12 grams and operations under titles I and II of the 1973
13 Act or subtitle B, C, D, or E of title I of the 1990 Act
14 shall be used to supplement and not supplant current pro-
15 grams and operations.

16 SEC. 404. In addition to the requirements in section
17 146(a) of the 1990 Act, use of an educational award for
18 the purpose described in section 148(a)(4) shall be limited
19 to individuals who are veterans as defined under section
20 101 of the Act.

21 SEC. 405. For the purpose of carrying out section
22 189D of the 1990 Act—

23 (1) entities described in paragraph (a) of such
24 section shall be considered “qualified entities” under

1 section 3 of the National Child Protection Act of
2 1993 (“NCPA”);

3 (2) individuals described in such section shall
4 be considered “volunteers” under section 3 of
5 NCPA; and

6 (3) State Commissions on National and Com-
7 munity Service established pursuant to section 178
8 of the 1990 Act, are authorized to receive criminal
9 history record information, consistent with Public
10 Law 92–544.

11 SEC. 406. Notwithstanding sections 139(b), 146 and
12 147 of the 1990 Act, an individual who successfully com-
13 pletes a term of service of not less than 1,200 hours dur-
14 ing a period of not more than one year may receive a na-
15 tional service education award having a value of 70 per-
16 cent of the value of a national service education award
17 determined under section 147(a) of the Act.

18 CORPORATION FOR PUBLIC BROADCASTING

19 For payment to the Corporation for Public Broad-
20 casting (“CPB”), as authorized by the Communications
21 Act of 1934, an amount which shall be available within
22 limitations specified by that Act, for the fiscal year 2022,
23 \$465,000,000: *Provided*, That none of the funds made
24 available to CPB by this Act shall be used to pay for re-
25 ceptions, parties, or similar forms of entertainment for

1 Government officials or employees: *Provided further*, That
2 none of the funds made available to CPB by this Act shall
3 be available or used to aid or support any program or ac-
4 tivity from which any person is excluded, or is denied ben-
5 efits, or is discriminated against, on the basis of race,
6 color, national origin, religion, or sex: *Provided further*,
7 That none of the funds made available to CPB by this
8 Act shall be used to apply any political test or qualification
9 in selecting, appointing, promoting, or taking any other
10 personnel action with respect to officers, agents, and em-
11 ployees of CPB.

12 In addition, for the costs associated with replacing
13 and upgrading the public broadcasting interconnection
14 system and other technologies and services that create in-
15 frastructure and efficiencies within the public media sys-
16 tem, \$20,000,000.

17 FEDERAL MEDIATION AND CONCILIATION SERVICE

18 SALARIES AND EXPENSES

19 For expenses necessary for the Federal Mediation
20 and Conciliation Service (“Service”) to carry out the func-
21 tions vested in it by the Labor-Management Relations Act,
22 1947, including hire of passenger motor vehicles; for ex-
23 penses necessary for the Labor-Management Cooperation
24 Act of 1978; and for expenses necessary for the Service
25 to carry out the functions vested in it by the Civil Service

1 Reform Act, \$47,200,000, including up to \$900,000 to re-
2 main available through September 30, 2021, for activities
3 authorized by the Labor-Management Cooperation Act of
4 1978: *Provided*, That notwithstanding 31 U.S.C. 3302,
5 fees charged, up to full-cost recovery, for special training
6 activities and other conflict resolution services and tech-
7 nical assistance, including those provided to foreign gov-
8 ernments and international organizations, and for arbitra-
9 tion services shall be credited to and merged with this ac-
10 count, and shall remain available until expended: *Provided*
11 *further*, That fees for arbitration services shall be available
12 only for education, training, and professional development
13 of the agency workforce: *Provided further*, That the Direc-
14 tor of the Service is authorized to accept and use on behalf
15 of the United States gifts of services and real, personal,
16 or other property in the aid of any projects or functions
17 within the Director's jurisdiction.

18 FEDERAL MINE SAFETY AND HEALTH REVIEW

19 COMMISSION

20 SALARIES AND EXPENSES

21 For expenses necessary for the Federal Mine Safety
22 and Health Review Commission, \$17,184,000.

1 INSTITUTE OF MUSEUM AND LIBRARY SERVICES

2 OFFICE OF MUSEUM AND LIBRARY SERVICES: GRANTS

3 AND ADMINISTRATION

4 For carrying out the Museum and Library Services
5 Act of 1996 and the National Museum of African Amer-
6 ican History and Culture Act, \$252,000,000.

7 MEDICAID AND CHIP PAYMENT AND ACCESS

8 COMMISSION

9 SALARIES AND EXPENSES

10 For expenses necessary to carry out section 1900 of
11 the Social Security Act, \$8,780,000.

12 MEDICARE PAYMENT ADVISORY COMMISSION

13 SALARIES AND EXPENSES

14 For expenses necessary to carry out section 1805 of
15 the Social Security Act, \$12,545,000, to be transferred to
16 this appropriation from the Federal Hospital Insurance
17 Trust Fund and the Federal Supplementary Medical In-
18 surance Trust Fund.

19 NATIONAL COUNCIL ON DISABILITY

20 SALARIES AND EXPENSES

21 For expenses necessary for the National Council on
22 Disability as authorized by title IV of the Rehabilitation
23 Act of 1973, \$3,350,000.

1 NATIONAL LABOR RELATIONS BOARD

2 SALARIES AND EXPENSES

3 For expenses necessary for the National Labor Rela-
4 tions Board to carry out the functions vested in it by the
5 Labor-Management Relations Act, 1947, and other laws,
6 \$274,224,000: *Provided*, That no part of this appropria-
7 tion shall be available to organize or assist in organizing
8 agricultural laborers or used in connection with investiga-
9 tions, hearings, directives, or orders concerning bargaining
10 units composed of agricultural laborers as referred to in
11 section 2(3) of the Act of July 5, 1935, and as amended
12 by the Labor-Management Relations Act, 1947, and as de-
13 fined in section 3(f) of the Act of June 25, 1938, and
14 including in said definition employees engaged in the
15 maintenance and operation of ditches, canals, reservoirs,
16 and waterways when maintained or operated on a mutual,
17 nonprofit basis and at least 95 percent of the water stored
18 or supplied thereby is used for farming purposes.

19 ADMINISTRATIVE PROVISIONS

20 SEC. 407. None of the funds provided by this Act
21 or previous Acts making appropriations for the National
22 Labor Relations Board may be used to issue any new ad-
23 ministrative directive or regulation that would provide em-
24 ployees any means of voting through any electronic means

1 in an election to determine a representative for the pur-
2 poses of collective bargaining.

3 NATIONAL MEDIATION BOARD

4 SALARIES AND EXPENSES

5 For expenses necessary to carry out the provisions
6 of the Railway Labor Act, including emergency boards ap-
7 pointed by the President, \$14,050,000.

8 OCCUPATIONAL SAFETY AND HEALTH REVIEW

9 COMMISSION

10 SALARIES AND EXPENSES

11 For expenses necessary for the Occupational Safety
12 and Health Review Commission, \$13,225,000.

13 RAILROAD RETIREMENT BOARD

14 DUAL BENEFITS PAYMENTS ACCOUNT

15 For payment to the Dual Benefits Payments Ac-
16 count, authorized under section 15(d) of the Railroad Re-
17 tirement Act of 1974, \$16,000,000, which shall include
18 amounts becoming available in fiscal year 2020 pursuant
19 to section 224(e)(1)(B) of Public Law 98–76; and in addi-
20 tion, an amount, not to exceed 2 percent of the amount
21 provided herein, shall be available proportional to the
22 amount by which the product of recipients and the average
23 benefit received exceeds the amount available for payment
24 of vested dual benefits: *Provided*, That the total amount
25 provided herein shall be credited in 12 approximately

1 equal amounts on the first day of each month in the fiscal
2 year.

3 FEDERAL PAYMENTS TO THE RAILROAD RETIREMENT
4 ACCOUNTS

5 For payment to the accounts established in the
6 Treasury for the payment of benefits under the Railroad
7 Retirement Act for interest earned on unnegotiated
8 checks, \$150,000, to remain available through September
9 30, 2021, which shall be the maximum amount available
10 for payment pursuant to section 417 of Public Law 98–
11 76.

12 LIMITATION ON ADMINISTRATION

13 For necessary expenses for the Railroad Retirement
14 Board (“Board”) for administration of the Railroad Re-
15 tirement Act and the Railroad Unemployment Insurance
16 Act, \$123,500,000, to be derived in such amounts as de-
17 termined by the Board from the railroad retirement ac-
18 counts and from moneys credited to the railroad unem-
19 ployment insurance administration fund: *Provided*, That
20 notwithstanding section 7(b)(9) of the Railroad Retire-
21 ment Act this limitation may be used to hire attorneys
22 only through the excepted service: *Provided further*, That
23 the previous proviso shall not change the status under
24 Federal employment laws of any attorney hired by the
25 Railroad Retirement Board prior to January 1, 2013: *Pro-*

1 *vided further*, That notwithstanding section 7(b)(9) of the
2 Railroad Retirement Act, this limitation may be used to
3 hire students attending qualifying educational institutions
4 or individuals who have recently completed qualifying edu-
5 cational programs using current excepted hiring authori-
6 ties established by the Office of Personnel Management:
7 *Provided further*, That \$10,000,000, to remain available
8 until expended, shall be used to supplement, not supplant,
9 existing resources devoted to operations and improvements
10 for the Board's Information Technology Investment Initia-
11 tives.

12 LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

13 For expenses necessary for the Office of Inspector
14 General for audit, investigatory and review activities, as
15 authorized by the Inspector General Act of 1978, not more
16 than \$11,000,000, to be derived from the railroad retire-
17 ment accounts and railroad unemployment insurance ac-
18 count.

19 SOCIAL SECURITY ADMINISTRATION

20 PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

21 For payment to the Federal Old-Age and Survivors
22 Insurance Trust Fund and the Federal Disability Insur-
23 ance Trust Fund, as provided under sections 201(m) and
24 1131(b)(2) of the Social Security Act, \$11,000,000.

1 SUPPLEMENTAL SECURITY INCOME PROGRAM

2 For carrying out titles XI and XVI of the Social Se-
3 curity Act, section 401 of Public Law 92–603, section 212
4 of Public Law 93–66, as amended, and section 405 of
5 Public Law 95–216, including payment to the Social Secu-
6 rity trust funds for administrative expenses incurred pur-
7 suant to section 201(g)(1) of the Social Security Act,
8 \$41,714,889,000, to remain available until expended: *Pro-*
9 *vided*, That any portion of the funds provided to a State
10 in the current fiscal year and not obligated by the State
11 during that year shall be returned to the Treasury: *Pro-*
12 *vided further*, That not more than \$101,000,000 shall be
13 available for research and demonstrations under sections
14 1110, 1115, and 1144 of the Social Security Act, and re-
15 main available through September 30, 2022.

16 For making, after June 15 of the current fiscal year,
17 benefit payments to individuals under title XVI of the So-
18 cial Security Act, for unanticipated costs incurred for the
19 current fiscal year, such sums as may be necessary.

20 For making benefit payments under title XVI of the
21 Social Security Act for the first quarter of fiscal year
22 2021, \$19,900,000,000, to remain available until ex-
23 pended.

1 LIMITATION ON ADMINISTRATIVE EXPENSES

2 For necessary expenses, including the hire of two pas-
3 senger motor vehicles, and not to exceed \$20,000 for offi-
4 cial reception and representation expenses, not more than
5 \$12,739,945,000 may be expended, as authorized by sec-
6 tion 201(g)(1) of the Social Security Act, from any one
7 or all of the trust funds referred to in such section: *Pro-*
8 *vided*, That not less than \$2,500,000 shall be for the So-
9 cial Security Advisory Board: *Provided further*, That
10 \$45,000,000 shall remain available until expended for in-
11 formation technology modernization, including related
12 hardware and software infrastructure and equipment, and
13 for administrative expenses directly associated with infor-
14 mation technology modernization: *Provided further*, That
15 \$100,000,000 shall remain available through September
16 30, 2021, for activities to address the disability hearings
17 backlog within the Office of Hearings Operations: *Pro-*
18 *vided further*, That unobligated balances of funds provided
19 under this paragraph at the end of fiscal year 2020 not
20 needed for fiscal year 2020 shall remain available until
21 expended to invest in the Social Security Administration
22 information technology and telecommunications hardware
23 and software infrastructure, including related equipment
24 and non-payroll administrative expenses associated solely
25 with this information technology and telecommunications

1 infrastructure: *Provided further*, That the Commissioner
2 of Social Security shall notify the Committees on Appro-
3 priations of the House of Representatives and the Senate
4 prior to making unobligated balances available under the
5 authority in the previous proviso: *Provided further*, That
6 reimbursement to the trust funds under this heading for
7 expenditures for official time for employees of the Social
8 Security Administration pursuant to 5 U.S.C. 7131, and
9 for facilities or support services for labor organizations
10 pursuant to policies, regulations, or procedures referred
11 to in section 7135(b) of such title shall be made by the
12 Secretary of the Treasury, with interest, from amounts in
13 the general fund not otherwise appropriated, as soon as
14 possible after such expenditures are made.

15 Of the total amount made available in the first para-
16 graph under this heading, not more than \$1,582,000,000,
17 to remain available through March 31, 2021, is for the
18 costs associated with continuing disability reviews under
19 titles II and XVI of the Social Security Act, including
20 work-related continuing disability reviews to determine
21 whether earnings derived from services demonstrate an in-
22 dividual's ability to engage in substantial gainful activity,
23 for the cost associated with conducting redeterminations
24 of eligibility under title XVI of the Social Security Act,
25 for the cost of co-operative disability investigation units,

1 and for the cost associated with the prosecution of fraud
2 in the programs and operations of the Social Security Ad-
3 ministration by Special Assistant United States Attorneys:
4 *Provided*, That, of such amount, \$273,000,000 is provided
5 to meet the terms of section 251(b)(2)(B)(ii)(III) of the
6 Balanced Budget and Emergency Deficit Control Act of
7 1985, as amended, and \$1,309,000,000 is additional new
8 budget authority specified for purposes of section
9 251(b)(2)(B) of such Act: *Provided further*, That, of the
10 additional new budget authority described in the preceding
11 proviso, up to \$10,000,000 may be transferred to the “Of-
12 fice of Inspector General”, Social Security Administration,
13 for the cost of jointly operated co-operative disability in-
14 vestigation units: *Provided further*, That such transfer au-
15 thority is in addition to any other transfer authority pro-
16 vided by law: *Provided further*, That the Commissioner
17 shall provide to the Congress (at the conclusion of the fis-
18 cal year) a report on the obligation and expenditure of
19 these funds, similar to the reports that were required by
20 section 103(d)(2) of Public Law 104–121 for fiscal years
21 1996 through 2002.

22 In addition, \$130,000,000 to be derived from admin-
23 istration fees in excess of \$5.00 per supplementary pay-
24 ment collected pursuant to section 1616(d) of the Social
25 Security Act or section 212(b)(3) of Public Law 93–66,

1 which shall remain available until expended: *Provided*,
2 That to the extent that the amounts collected pursuant
3 to such sections in fiscal year 2020 exceed \$130,000,000,
4 the amounts shall be available in fiscal year 2021 only
5 to the extent provided in advance in appropriations Acts.

6 In addition, up to \$1,000,000 to be derived from fees
7 collected pursuant to section 303(c) of the Social Security
8 Protection Act, which shall remain available until ex-
9 pended.

10 OFFICE OF INSPECTOR GENERAL
11 (INCLUDING TRANSFER OF FUNDS)

12 For expenses necessary for the Office of Inspector
13 General in carrying out the provisions of the Inspector
14 General Act of 1978, \$30,000,000, together with not to
15 exceed \$75,500,000, to be transferred and expended as
16 authorized by section 201(g)(1) of the Social Security Act
17 from the Federal Old-Age and Survivors Insurance Trust
18 Fund and the Federal Disability Insurance Trust Fund.

19 In addition, an amount not to exceed 3 percent of
20 the total provided in this appropriation may be transferred
21 from the “Limitation on Administrative Expenses”, Social
22 Security Administration, to be merged with this account,
23 to be available for the time and purposes for which this
24 account is available: *Provided*, That notice of such trans-
25 fers shall be transmitted promptly to the Committees on

- 1 Appropriations of the House of Representatives and the
- 2 Senate at least 15 days in advance of any transfer.

1 TITLE V
2 GENERAL PROVISIONS
3 (TRANSFER OF FUNDS)

4 SEC. 501. The Secretaries of Labor, Health and
5 Human Services, and Education are authorized to transfer
6 unexpended balances of prior appropriations to accounts
7 corresponding to current appropriations provided in this
8 Act. Such transferred balances shall be used for the same
9 purpose, and for the same periods of time, for which they
10 were originally appropriated.

11 SEC. 502. No part of any appropriation contained in
12 this Act shall remain available for obligation beyond the
13 current fiscal year unless expressly so provided herein.

14 SEC. 503. (a) No part of any appropriation contained
15 in this Act or transferred pursuant to section 4002 of
16 Public Law 111–148 shall be used, other than for normal
17 and recognized executive-legislative relationships, for pub-
18 licity or propaganda purposes, for the preparation, dis-
19 tribution, or use of any kit, pamphlet, booklet, publication,
20 electronic communication, radio, television, or video pres-
21 entation designed to support or defeat the enactment of
22 legislation before the Congress or any State or local legis-
23 lature or legislative body, except in presentation to the
24 Congress or any State or local legislature itself, or de-
25 signed to support or defeat any proposed or pending regu-

1 lation, administrative action, or order issued by the execu-
2 tive branch of any State or local government, except in
3 presentation to the executive branch of any State or local
4 government itself.

5 (b) No part of any appropriation contained in this
6 Act or transferred pursuant to section 4002 of Public Law
7 111–148 shall be used to pay the salary or expenses of
8 any grant or contract recipient, or agent acting for such
9 recipient, related to any activity designed to influence the
10 enactment of legislation, appropriations, regulation, ad-
11 ministrative action, or Executive order proposed or pend-
12 ing before the Congress or any State government, State
13 legislature or local legislature or legislative body, other
14 than for normal and recognized executive-legislative rela-
15 tionships or participation by an agency or officer of a
16 State, local or tribal government in policymaking and ad-
17 ministrative processes within the executive branch of that
18 government.

19 (c) The prohibitions in subsections (a) and (b) shall
20 include any activity to advocate or promote any proposed,
21 pending or future Federal, State or local tax increase, or
22 any proposed, pending, or future requirement or restric-
23 tion on any legal consumer product, including its sale or
24 marketing, including but not limited to the advocacy or
25 promotion of gun control.

1 SEC. 504. The Secretaries of Labor and Education
2 are authorized to make available not to exceed \$28,000
3 and \$20,000, respectively, from funds available for sala-
4 ries and expenses under titles I and III, respectively, for
5 official reception and representation expenses; the Direc-
6 tor of the Federal Mediation and Conciliation Service is
7 authorized to make available for official reception and rep-
8 resentation expenses not to exceed \$5,000 from the funds
9 available for “Federal Mediation and Conciliation Service,
10 Salaries and Expenses”; and the Chairman of the Na-
11 tional Mediation Board is authorized to make available for
12 official reception and representation expenses not to ex-
13 ceed \$5,000 from funds available for “National Mediation
14 Board, Salaries and Expenses”.

15 SEC. 505. When issuing statements, press releases,
16 requests for proposals, bid solicitations and other docu-
17 ments describing projects or programs funded in whole or
18 in part with Federal money, all grantees receiving Federal
19 funds included in this Act, including but not limited to
20 State and local governments and recipients of Federal re-
21 search grants, shall clearly state—

22 (1) the percentage of the total costs of the pro-
23 gram or project which will be financed with Federal
24 money;

1 (2) the dollar amount of Federal funds for the
2 project or program; and

3 (3) percentage and dollar amount of the total
4 costs of the project or program that will be financed
5 by non-governmental sources.

6 SEC. 506. (a) None of the funds appropriated in this
7 Act, and none of the funds in any trust fund to which
8 funds are appropriated in this Act, shall be expended for
9 any abortion.

10 (b) None of the funds appropriated in this Act, and
11 none of the funds in any trust fund to which funds are
12 appropriated in this Act, shall be expended for health ben-
13 efits coverage that includes coverage of abortion.

14 (c) The term “health benefits coverage” means the
15 package of services covered by a managed care provider
16 or organization pursuant to a contract or other arrange-
17 ment.

18 SEC. 507. (a) The limitations established in the pre-
19 ceding section shall not apply to an abortion—

20 (1) if the pregnancy is the result of an act of
21 rape or incest; or

22 (2) in the case where a woman suffers from a
23 physical disorder, physical injury, or physical illness,
24 including a life-endangering physical condition
25 caused by or arising from the pregnancy itself, that

1 would, as certified by a physician, place the woman
2 in danger of death unless an abortion is performed.

3 (b) Nothing in the preceding section shall be con-
4 strued as prohibiting the expenditure by a State, locality,
5 entity, or private person of State, local, or private funds
6 (other than a State's or locality's contribution of Medicaid
7 matching funds).

8 (c) Nothing in the preceding section shall be con-
9 strued as restricting the ability of any managed care pro-
10 vider from offering abortion coverage or the ability of a
11 State or locality to contract separately with such a pro-
12 vider for such coverage with State funds (other than a
13 State's or locality's contribution of Medicaid matching
14 funds).

15 (d)(1) None of the funds made available in this Act
16 may be made available to a Federal agency or program,
17 or to a State or local government, if such agency, program,
18 or government subjects any institutional or individual
19 health care entity to discrimination on the basis that the
20 health care entity does not provide, pay for, provide cov-
21 erage of, or refer for abortions.

22 (2) In this subsection, the term "health care entity"
23 includes an individual physician or other health care pro-
24 fessional, a hospital, a provider-sponsored organization, a
25 health maintenance organization, a health insurance plan,

1 or any other kind of health care facility, organization, or
2 plan.

3 SEC. 508. (a) None of the funds made available in
4 this Act may be used for—

5 (1) the creation of a human embryo or embryos
6 for research purposes; or

7 (2) research in which a human embryo or em-
8 bryos are destroyed, discarded, or knowingly sub-
9 jected to risk of injury or death greater than that
10 allowed for research on fetuses in utero under 45
11 CFR 46.204(b) and section 498(b) of the Public
12 Health Service Act (42 U.S.C. 289g(b)).

13 (b) For purposes of this section, the term “human
14 embryo or embryos” includes any organism, not protected
15 as a human subject under 45 CFR 46 as of the date of
16 the enactment of this Act, that is derived by fertilization,
17 parthenogenesis, cloning, or any other means from one or
18 more human gametes or human diploid cells.

19 SEC. 509. (a) None of the funds made available in
20 this Act may be used for any activity that promotes the
21 legalization of any drug or other substance included in
22 schedule I of the schedules of controlled substances estab-
23 lished under section 202 of the Controlled Substances Act
24 except for normal and recognized executive-congressional
25 communications.

1 (b) The limitation in subsection (a) shall not apply
2 when there is significant medical evidence of a therapeutic
3 advantage to the use of such drug or other substance or
4 that federally sponsored clinical trials are being conducted
5 to determine therapeutic advantage.

6 SEC. 510. None of the funds made available in this
7 Act may be used to promulgate or adopt any final stand-
8 ard under section 1173(b) of the Social Security Act pro-
9 viding for, or providing for the assignment of, a unique
10 health identifier for an individual (except in an individ-
11 ual's capacity as an employer or a health care provider),
12 until legislation is enacted specifically approving the
13 standard.

14 SEC. 511. None of the funds made available in this
15 Act may be obligated or expended to enter into or renew
16 a contract with an entity if—

17 (1) such entity is otherwise a contractor with
18 the United States and is subject to the requirement
19 in 38 U.S.C. 4212(d) regarding submission of an
20 annual report to the Secretary of Labor concerning
21 employment of certain veterans; and

22 (2) such entity has not submitted a report as
23 required by that section for the most recent year for
24 which such requirement was applicable to such enti-
25 ty.

1 SEC. 512. None of the funds made available in this
2 Act may be transferred to any department, agency, or in-
3 strumentality of the United States Government, except
4 pursuant to a transfer made by, or transfer authority pro-
5 vided in, this Act or any other appropriation Act.

6 SEC. 513. None of the funds made available by this
7 Act to carry out the Library Services and Technology Act
8 may be made available to any library covered by para-
9 graph (1) of section 224(f) of such Act, as amended by
10 the Children’s Internet Protection Act, unless such library
11 has made the certifications required by paragraph (4) of
12 such section.

13 SEC. 514. (a) None of the funds provided under this
14 Act, or provided under previous appropriations Acts to the
15 agencies funded by this Act that remain available for obli-
16 gation or expenditure in fiscal year 2020, or provided from
17 any accounts in the Treasury of the United States derived
18 by the collection of fees available to the agencies funded
19 by this Act, shall be available for obligation or expenditure
20 through a reprogramming of funds that—

- 21 (1) creates new programs;
- 22 (2) eliminates a program, project, or activity;
- 23 (3) increases funds or personnel by any means
24 for any project or activity for which funds have been
25 denied or restricted;

1 (4) relocates an office or employees;

2 (5) reorganizes or renames offices;

3 (6) reorganizes programs or activities; or

4 (7) contracts out or privatizes any functions or
5 activities presently performed by Federal employees;

6 unless the Committees on Appropriations of the House of
7 Representatives and the Senate are consulted 15 days in
8 advance of such reprogramming or of an announcement
9 of intent relating to such reprogramming, whichever oc-
10 curs earlier, and are notified in writing 10 days in advance
11 of such reprogramming.

12 (b) None of the funds provided under this Act, or
13 provided under previous appropriations Acts to the agen-
14 cies funded by this Act that remain available for obligation
15 or expenditure in fiscal year 2020, or provided from any
16 accounts in the Treasury of the United States derived by
17 the collection of fees available to the agencies funded by
18 this Act, shall be available for obligation or expenditure
19 through a reprogramming of funds in excess of \$500,000
20 or 10 percent, whichever is less, that—

21 (1) augments existing programs, projects (in-
22 cluding construction projects), or activities;

23 (2) reduces by 10 percent funding for any exist-
24 ing program, project, or activity, or numbers of per-
25 sonnel by 10 percent as approved by Congress; or

1 (3) results from any general savings from a re-
2 duction in personnel which would result in a change
3 in existing programs, activities, or projects as ap-
4 proved by Congress;
5 unless the Committees on Appropriations of the House of
6 Representatives and the Senate are consulted 15 days in
7 advance of such reprogramming or of an announcement
8 of intent relating to such reprogramming, whichever oc-
9 curs earlier, and are notified in writing 10 days in advance
10 of such reprogramming.

11 SEC. 515. (a) None of the funds made available in
12 this Act may be used to request that a candidate for ap-
13 pointment to a Federal scientific advisory committee dis-
14 close the political affiliation or voting history of the can-
15 didate or the position that the candidate holds with re-
16 spect to political issues not directly related to and nec-
17 essary for the work of the committee involved.

18 (b) None of the funds made available in this Act may
19 be used to disseminate information that is deliberately
20 false or misleading.

21 SEC. 516. Within 45 days of enactment of this Act,
22 each department and related agency funded through this
23 Act shall submit an operating plan that details at the pro-
24 gram, project, and activity level any funding allocations
25 for fiscal year 2020 that are different than those specified

1 in this Act, the accompanying detailed table in the explan-
2 atory statement described in section 4 (in the matter pre-
3 ceding division A of this consolidated Act) or the fiscal
4 year 2020 budget request.

5 SEC. 517. The Secretaries of Labor, Health and
6 Human Services, and Education shall each prepare and
7 submit to the Committees on Appropriations of the House
8 of Representatives and the Senate a report on the number
9 and amount of contracts, grants, and cooperative agree-
10 ments exceeding \$500,000, individually or in total for a
11 particular project, activity, or programmatic initiative, in
12 value and awarded by the Department on a non-competi-
13 tive basis during each quarter of fiscal year 2020, but not
14 to include grants awarded on a formula basis or directed
15 by law. Such report shall include the name of the con-
16 tractor or grantee, the amount of funding, the govern-
17 mental purpose, including a justification for issuing the
18 award on a non-competitive basis. Such report shall be
19 transmitted to the Committees within 30 days after the
20 end of the quarter for which the report is submitted.

21 SEC. 518. None of the funds appropriated in this Act
22 shall be expended or obligated by the Commissioner of So-
23 cial Security, for purposes of administering Social Security
24 benefit payments under title II of the Social Security Act,
25 to process any claim for credit for a quarter of coverage

1 based on work performed under a social security account
2 number that is not the claimant's number and the per-
3 formance of such work under such number has formed the
4 basis for a conviction of the claimant of a violation of sec-
5 tion 208(a)(6) or (7) of the Social Security Act.

6 SEC. 519. None of the funds appropriated by this Act
7 may be used by the Commissioner of Social Security or
8 the Social Security Administration to pay the compensa-
9 tion of employees of the Social Security Administration
10 to administer Social Security benefit payments, under any
11 agreement between the United States and Mexico estab-
12 lishing totalization arrangements between the social secu-
13 rity system established by title II of the Social Security
14 Act and the social security system of Mexico, which would
15 not otherwise be payable but for such agreement.

16 SEC. 520. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

20 (b) Nothing in subsection (a) shall limit the use of
21 funds necessary for any Federal, State, tribal, or local law
22 enforcement agency or any other entity carrying out crimi-
23 nal investigations, prosecution, or adjudication activities.

24 SEC. 521. None of the funds made available under
25 this or any other Act, or any prior Appropriations Act,

1 may be provided to the Association of Community Organi-
2 zations for Reform Now (ACORN), or any of its affiliates,
3 subsidiaries, allied organizations, or successors.

4 SEC. 522. For purposes of carrying out Executive
5 Order 13589, Office of Management and Budget Memo-
6 randum M-12-12 dated May 11, 2012, and requirements
7 contained in the annual appropriations bills relating to
8 conference attendance and expenditures:

9 (1) the operating divisions of HHS shall be con-
10 sidered independent agencies; and

11 (2) attendance at and support for scientific con-
12 ferences shall be tabulated separately from and not
13 included in agency totals.

14 SEC. 523. Federal agencies funded under this Act
15 shall clearly state within the text, audio, or video used for
16 advertising or educational purposes, including emails or
17 Internet postings, that the communication is printed, pub-
18 lished, or produced and disseminated at U.S. taxpayer ex-
19 pense. The funds used by a Federal agency to carry out
20 this requirement shall be derived from amounts made
21 available to the agency for advertising or other commu-
22 nications regarding the programs and activities of the
23 agency.

24 SEC. 524. (a) Federal agencies may use Federal dis-
25 cretionary funds that are made available in this Act to

1 carry out up to 10 Performance Partnership Pilots. Such
2 Pilots shall be governed by the provisions of section 526
3 of division H of Public Law 113–76, except that in car-
4 rying out such Pilots section 526 shall be applied by sub-
5 stituting “Fiscal Year 2020” for “Fiscal Year 2014” in
6 the title of subsection (b) and by substituting “September
7 30, 2024” for “September 30, 2018” each place it ap-
8 pears: *Provided*, That such pilots shall include commu-
9 nities that have experienced civil unrest.

10 (b) In addition, Federal agencies may use Federal
11 discretionary funds that are made available in this Act to
12 participate in Performance Partnership Pilots that are
13 being carried out pursuant to the authority provided by
14 section 526 of division H of Public Law 113–76, section
15 524 of division G of Public Law 113–235, section 525 of
16 division H of Public Law 114–113, section 525 of division
17 H of Public Law 115–31, and section 525 of division H
18 of Public Law 115–141.

19 (c) Pilot sites selected under authorities in this Act
20 and prior appropriations Acts may be granted by relevant
21 agencies up to an additional 5 years to operate under such
22 authorities.

23 SEC. 525. Not later than 30 days after the end of
24 each calendar quarter, beginning with the first month of
25 fiscal year 2020, the Departments of Labor, Health and

1 Human Services and Education and the Social Security
2 Administration shall provide the Committees on Appro-
3 priations of the House of Representatives and Senate a
4 report on the status of balances of appropriations: *Pro-*
5 *vided*, That for balances that are unobligated and uncom-
6 mitted, committed, and obligated but unexpended, the
7 monthly reports shall separately identify the amounts at-
8 tributable to each source year of appropriation (beginning
9 with fiscal year 2012, or, to the extent feasible, earlier
10 fiscal years) from which balances were derived.

11 SEC. 526. The Departments of Labor, Health and
12 Human Services, or Education shall provide to the Com-
13 mittees on Appropriations of the House of Representatives
14 and the Senate a comprehensive list of any new or com-
15 petitive grant award notifications, including supplements,
16 issued at the discretion of such Departments not less than
17 3 full business days before any entity selected to receive
18 a grant award is announced by the Department or its of-
19 fices (other than emergency response grants at any time
20 of the year or for grant awards made during the last 10
21 business days of the fiscal year, or if applicable, of the
22 program year).

23 SEC. 527. Notwithstanding any other provision of
24 this Act, no funds appropriated in this Act shall be used
25 to purchase sterile needles or syringes for the hypodermic

1 injection of any illegal drug: *Provided*, That such limita-
2 tion does not apply to the use of funds for elements of
3 a program other than making such purchases if the rel-
4 evant State or local health department, in consultation
5 with the Centers for Disease Control and Prevention, de-
6 termines that the State or local jurisdiction, as applicable,
7 is experiencing, or is at risk for, a significant increase in
8 hepatitis infections or an HIV outbreak due to injection
9 drug use, and such program is operating in accordance
10 with State and local law.

11 SEC. 528. Each department and related agency fund-
12 ed through this Act shall provide answers to questions
13 submitted for the record by members of the Committee
14 within 45 business days after receipt.

15 (RESCISSION)

16 SEC. 529. Of any available amounts appropriated
17 under section 2104(a)(23) of the Social Security Act (42
18 U.S.C. 1397dd) that are unobligated as of September 25,
19 2020, \$3,169,819,000 are hereby rescinded as of such
20 date.

21 SEC. 530. Of amounts deposited in the Child Enroll-
22 ment Contingency Fund prior to the beginning of fiscal
23 year 2020 under section 2104(n)(2) of the Social Security
24 Act and the income derived from investment of those
25 funds pursuant to section 2104(n)(2)(C) of that Act,

1 \$6,093,181,000 shall not be available for obligation in this
2 fiscal year.

3 This division may be cited as the “Departments of
4 Labor, Health and Human Services, and Education, and
5 Related Agencies Appropriations Act, 2020”.

1 **DIVISION B—AGRICULTURE, RURAL DE-**
2 **VELOPMENT, FOOD AND DRUG ADMIN-**
3 **ISTRATION, AND RELATED AGENCIES**
4 **APPROPRIATIONS ACT, 2020**

5 TITLE I

6 AGRICULTURAL PROGRAMS

7 PROCESSING, RESEARCH, AND MARKETING

8 OFFICE OF THE SECRETARY

9 (INCLUDING TRANSFERS OF FUNDS)

10 For necessary expenses of the Office of the Secretary,
11 \$46,139,000, of which not to exceed \$5,051,000 shall be
12 available for the immediate Office of the Secretary; not
13 to exceed \$1,496,000 shall be available for the Office of
14 Homeland Security; not to exceed \$6,211,000 shall be
15 available for the Office of Partnerships and Public En-
16 gagement, of which \$1,500,000 shall be for 7 U.S.C.
17 2279(c)(5); not to exceed \$22,251,000 shall be available
18 for the Office of the Assistant Secretary for Administra-
19 tion, of which \$21,376,000 shall be available for Depart-
20 mental Administration to provide for necessary expenses
21 for management support services to offices of the Depart-
22 ment and for general administration, security, repairs and
23 alterations, and other miscellaneous supplies and expenses
24 not otherwise provided for and necessary for the practical
25 and efficient work of the Department: *Provided*, That

1 funds made available by this Act to an agency in the Ad-
2 ministration mission area for salaries and expenses are
3 available to fund up to one administrative support staff
4 for the Office; not to exceed \$3,869,000 shall be available
5 for the Office of Assistant Secretary for Congressional Re-
6 lations and Intergovernmental Affairs to carry out the
7 programs funded by this Act, including programs involv-
8 ing intergovernmental affairs and liaison within the execu-
9 tive branch; and not to exceed \$7,261,000 shall be avail-
10 able for the Office of Communications: *Provided further,*
11 That the Secretary of Agriculture is authorized to transfer
12 funds appropriated for any office of the Office of the Sec-
13 retary to any other office of the Office of the Secretary:
14 *Provided further,* That no appropriation for any office
15 shall be increased or decreased by more than 5 percent:
16 *Provided further,* That not to exceed \$22,000 of the
17 amount made available under this paragraph for the im-
18 mediate Office of the Secretary shall be available for offi-
19 cial reception and representation expenses, not otherwise
20 provided for, as determined by the Secretary: *Provided*
21 *further,* That the amount made available under this head-
22 ing for Departmental Administration shall be reimbursed
23 from applicable appropriations in this Act for travel ex-
24 penses incident to the holding of hearings as required by
25 5 U.S.C. 551–558: *Provided further,* That funds made

1 available under this heading for the Office of the Assistant
2 Secretary for Congressional Relations and Intergovern-
3 mental Affairs may be transferred to agencies of the De-
4 partment of Agriculture funded by this Act to maintain
5 personnel at the agency level: *Provided further*, That no
6 funds made available under this heading for the Office of
7 Assistant Secretary for Congressional Relations may be
8 obligated after 30 days from the date of enactment of this
9 Act, unless the Secretary has notified the Committees on
10 Appropriations of both Houses of Congress on the alloca-
11 tion of these funds by USDA agency: *Provided further*,
12 That of the funds made available under this heading,
13 funding shall be made available to the Office of the Sec-
14 retary to carry out the duties of the working group estab-
15 lished under section 770 of the Agriculture, Rural Devel-
16 opment, Food and Drug Administration, and Related
17 Agencies Appropriations Act, 2019 (Public Law 116–6;
18 133 Stat. 89): *Provided further*, That during any 30 day
19 notification period referenced in section 716 of this Act,
20 the Secretary of Agriculture, the Secretary of Health and
21 Human Services or the Chairman of the Commodity Fu-
22 tures Trading Commission, (as the case may be) shall take
23 no action to begin implementation of the proposal or make
24 any public announcement in any form.

1 EXECUTIVE OPERATIONS

2 OFFICE OF THE CHIEF ECONOMIST

3 For necessary expenses of the Office of the Chief
4 Economist, \$24,013,000, of which \$8,000,000 shall be for
5 grants or cooperative agreements for policy research under
6 7 U.S.C. 3155.

7 OFFICE OF HEARINGS AND APPEALS

8 For necessary expenses of the Office of Hearings and
9 Appeals, \$15,222,000.

10 OFFICE OF BUDGET AND PROGRAM ANALYSIS

11 For necessary expenses of the Office of Budget and
12 Program Analysis, \$9,525,000.

13 OFFICE OF THE CHIEF INFORMATION OFFICER

14 For necessary expenses of the Office of the Chief In-
15 formation Officer, \$66,580,000, of which not less than
16 \$56,000,000 is for cybersecurity requirements of the de-
17 partment.

18 OFFICE OF THE CHIEF FINANCIAL OFFICER

19 For necessary expenses of the Office of the Chief Fi-
20 nancial Officer, \$6,028,000.

21 OFFICE OF THE ASSISTANT SECRETARY FOR CIVIL

22 RIGHTS

23 For necessary expenses of the Office of the Assistant
24 Secretary for Civil Rights, \$901,000: *Provided*, That
25 funds made available by this Act to an agency in the Civil

1 Rights mission area for salaries and expenses are available
2 to fund up to one administrative support staff for the Of-
3 fice.

4 OFFICE OF CIVIL RIGHTS

5 For necessary expenses of the Office of Civil Rights,
6 \$24,206,000.

7 AGRICULTURE BUILDINGS AND FACILITIES

8 (INCLUDING TRANSFERS OF FUNDS)

9 For payment of space rental and related costs pursu-
10 ant to Public Law 92–313, including authorities pursuant
11 to the 1984 delegation of authority from the Adminis-
12 trator of General Services to the Department of Agri-
13 culture under 40 U.S.C. 121, for programs and activities
14 of the Department which are included in this Act, and for
15 alterations and other actions needed for the Department
16 and its agencies to consolidate unneeded space into con-
17 figurations suitable for release to the Administrator of
18 General Services, and for the operation, maintenance, im-
19 provement, and repair of Agriculture buildings and facili-
20 ties, and for related costs, \$128,167,000, to remain avail-
21 able until expended.

22 HAZARDOUS MATERIALS MANAGEMENT

23 (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses of the Department of Agri-
25 culture, to comply with the Comprehensive Environmental

1 Response, Compensation, and Liability Act (42 U.S.C.
2 9601 et seq.) and the Solid Waste Disposal Act (42 U.S.C.
3 6901 et seq.), \$4,503,000, to remain available until ex-
4 pended: *Provided*, That appropriations and funds available
5 herein to the Department for Hazardous Materials Man-
6 agement may be transferred to any agency of the Depart-
7 ment for its use in meeting all requirements pursuant to
8 the above Acts on Federal and non-Federal lands.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General, including employment pursuant to the Inspector
12 General Act of 1978 (Public Law 95–452; 5 U.S.C. App.),
13 \$98,208,000, including such sums as may be necessary for
14 contracting and other arrangements with public agencies
15 and private persons pursuant to section 6(a)(9) of the In-
16 spector General Act of 1978 (Public Law 95–452; 5
17 U.S.C. App.), and including not to exceed \$125,000 for
18 certain confidential operational expenses, including the
19 payment of informants, to be expended under the direction
20 of the Inspector General pursuant to the Inspector Gen-
21 eral Act of 1978 (Public Law 95–452; 5 U.S.C. App.) and
22 section 1337 of the Agriculture and Food Act of 1981
23 (Public Law 97–98).

1 OFFICE OF THE GENERAL COUNSEL

2 For necessary expenses of the Office of the General
3 Counsel, \$45,146,000.

4 OFFICE OF ETHICS

5 For necessary expenses of the Office of Ethics,
6 \$4,136,000.

7 OFFICE OF THE UNDER SECRETARY FOR RESEARCH,
8 EDUCATION, AND ECONOMICS

9 For necessary expenses of the Office of the Under
10 Secretary for Research, Education, and Economics,
11 \$800,000: *Provided*, That funds made available by this
12 Act to an agency in the Research, Education, and Eco-
13 nomics mission area for salaries and expenses are avail-
14 able to fund up to one administrative support staff for
15 the Office.

16 ECONOMIC RESEARCH SERVICE

17 For necessary expenses of the Economic Research
18 Service, \$84,757,000.

19 NATIONAL AGRICULTURAL STATISTICS SERVICE

20 For necessary expenses of the National Agricultural
21 Statistics Service, \$180,294,000, of which up to
22 \$45,300,000 shall be available until expended for the Cen-
23 sus of Agriculture: *Provided*, That amounts made available
24 for the Census of Agriculture may be used to conduct Cur-

1 rent Industrial Report surveys subject to 7 U.S.C.
2 2204g(d) and (f).

3 AGRICULTURAL RESEARCH SERVICE

4 SALARIES AND EXPENSES

5 For necessary expenses of the Agricultural Research
6 Service and for acquisition of lands by donation, exchange,
7 or purchase at a nominal cost not to exceed \$100, and
8 for land exchanges where the lands exchanged shall be of
9 equal value or shall be equalized by a payment of money
10 to the grantor which shall not exceed 25 percent of the
11 total value of the land or interests transferred out of Fed-
12 eral ownership, \$1,414,366,000, of which \$13,100,000, to
13 remain available until expended, shall be used for transi-
14 tion and equipment purchases for the National Bio and
15 Agro-Defense Facility located in Manhattan, Kansas: *Pro-*
16 *vided*, That of the amounts available to the Agricultural
17 Research Service for the National Bio and Agro-Defense
18 Facility, no funds may be obligated above the amount pro-
19 vided for the facility in Public Law 116–6 until the Sec-
20 retary of Agriculture submits to the Committees on Ap-
21 propriations of both Houses of Congress, and receives
22 written or electronic notification of receipt from such
23 Committees, a strategic plan as required in House Report
24 116–107: *Provided further*, That appropriations hereunder
25 shall be available for the operation and maintenance of

1 aircraft and the purchase of not to exceed one for replace-
2 ment only: *Provided further*, That appropriations here-
3 under shall be available pursuant to 7 U.S.C. 2250 for
4 the construction, alteration, and repair of buildings and
5 improvements, but unless otherwise provided, the cost of
6 constructing any one building shall not exceed \$500,000,
7 except for headhouses or greenhouses which shall each be
8 limited to \$1,800,000, except for 10 buildings to be con-
9 structed or improved at a cost not to exceed \$1,100,000
10 each, and except for two buildings to be constructed at
11 a cost not to exceed \$3,000,000 each, and the cost of alter-
12 ing any one building during the fiscal year shall not exceed
13 10 percent of the current replacement value of the build-
14 ing or \$500,000, whichever is greater: *Provided further*,
15 That appropriations hereunder shall be available for enter-
16 ing into lease agreements at any Agricultural Research
17 Service location for the construction of a research facility
18 by a non-Federal entity for use by the Agricultural Re-
19 search Service and a condition of the lease shall be that
20 any facility shall be owned, operated, and maintained by
21 the non-Federal entity and shall be removed upon the ex-
22 piration or termination of the lease agreement: *Provided*
23 *further*, That the limitations on alterations contained in
24 this Act shall not apply to modernization or replacement
25 of existing facilities at Beltsville, Maryland: *Provided fur-*

1 *ther*, That appropriations hereunder shall be available for
2 granting easements at the Beltsville Agricultural Research
3 Center: *Provided further*, That the foregoing limitations
4 shall not apply to replacement of buildings needed to carry
5 out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided*
6 *further*, That appropriations hereunder shall be available
7 for granting easements at any Agricultural Research Serv-
8 ice location for the construction of a research facility by
9 a non-Federal entity for use by, and acceptable to, the
10 Agricultural Research Service and a condition of the ease-
11 ments shall be that upon completion the facility shall be
12 accepted by the Secretary, subject to the availability of
13 funds herein, if the Secretary finds that acceptance of the
14 facility is in the interest of the United States: *Provided*
15 *further*, That funds may be received from any State, other
16 political subdivision, organization, or individual for the
17 purpose of establishing or operating any research facility
18 or research project of the Agricultural Research Service,
19 as authorized by law.

20 BUILDINGS AND FACILITIES

21 For the acquisition of land, construction, repair, im-
22 provement, extension, alteration, and purchase of fixed
23 equipment or facilities as necessary to carry out the agri-
24 cultural research programs of the Department of Agri-
25 culture, where not otherwise provided, \$192,700,000 to re-

1 main available until expended, of which \$166,900,000
2 shall be allocated for ARS facilities co-located with univer-
3 sity partners.

4 NATIONAL INSTITUTE OF FOOD AND AGRICULTURE
5 RESEARCH AND EDUCATION ACTIVITIES

6 For payments to agricultural experiment stations, for
7 cooperative forestry and other research, for facilities, and
8 for other expenses, \$962,864,000, which shall be for the
9 purposes, and in the amounts, specified in the table titled
10 “National Institute of Food and Agriculture, Research
11 and Education Activities” in the explanatory statement
12 described in section 4 (in the matter preceding division
13 A of this consolidated Act): *Provided*, That funds for re-
14 search grants for 1994 institutions, education grants for
15 1890 institutions, capacity building for non-land-grant
16 colleges of agriculture, the agriculture and food research
17 initiative, veterinary medicine loan repayment, multicul-
18 tural scholars, graduate fellowship and institution chal-
19 lenge grants, and grants management systems shall re-
20 main available until expended: *Provided further*, That each
21 institution eligible to receive funds under the Evans-Allen
22 program receives no less than \$1,000,000: *Provided fur-*
23 *ther*, That funds for education grants for Alaska Native
24 and Native Hawaiian-serving institutions be made avail-
25 able to individual eligible institutions or consortia of eligi-

1 ble institutions with funds awarded equally to each of the
2 States of Alaska and Hawaii: *Provided further*, That funds
3 for education grants for 1890 institutions shall be made
4 available to institutions eligible to receive funds under 7
5 U.S.C. 3221 and 3222: *Provided further*, That not more
6 than 5 percent of the amounts made available by this or
7 any other Act to carry out the Agriculture and Food Re-
8 search Initiative under 7 U.S.C. 3157 may be retained by
9 the Secretary of Agriculture to pay administrative costs
10 incurred by the Secretary in carrying out that authority.

11 NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

12 For the Native American Institutions Endowment
13 Fund authorized by Public Law 103–382 (7 U.S.C. 301
14 note), \$11,880,000, to remain available until expended.

15 EXTENSION ACTIVITIES

16 For payments to States, the District of Columbia,
17 Puerto Rico, Guam, the Virgin Islands, Micronesia, the
18 Northern Marianas, and American Samoa, \$526,557,000,
19 which shall be for the purposes, and in the amounts, speci-
20 fied in the table titled “National Institute of Food and
21 Agriculture, Extension Activities” in the explanatory
22 statement described in section 4 (in the matter preceding
23 division A of this consolidated Act): *Provided*, That funds
24 for facility improvements at 1890 institutions shall remain
25 available until expended: *Provided further*, That institu-

1 tions eligible to receive funds under 7 U.S.C. 3221 for co-
2 operative extension receive no less than \$1,000,000: *Pro-*
3 *vided further*, That funds for cooperative extension under
4 sections 3(b) and (c) of the Smith-Lever Act (7 U.S.C.
5 343(b) and (c)) and section 208(c) of Public Law 93–471
6 shall be available for retirement and employees’ compensa-
7 tion costs for extension agents.

8 INTEGRATED ACTIVITIES

9 For the integrated research, education, and extension
10 grants programs, including necessary administrative ex-
11 penses, \$38,000,000, which shall be for the purposes, and
12 in the amounts, specified in the table titled “National In-
13 stitute of Food and Agriculture, Integrated Activities” in
14 the explanatory statement described in section 4 (in the
15 matter preceding division A of this consolidated Act): *Pro-*
16 *vided*, That funds for the Food and Agriculture Defense
17 Initiative shall remain available until September 30, 2021:
18 *Provided further*, That notwithstanding any other provi-
19 sion of law, indirect costs shall not be charged against any
20 Extension Implementation Program Area grant awarded
21 under the Crop Protection/Pest Management Program (7
22 U.S.C. 7626).

1 OFFICE OF THE UNDER SECRETARY FOR MARKETING
2 AND REGULATORY PROGRAMS

3 For necessary expenses of the Office of the Under
4 Secretary for Marketing and Regulatory Programs,
5 \$800,000: *Provided*, That funds made available by this
6 Act to an agency in the Marketing and Regulatory Pro-
7 grams mission area for salaries and expenses are available
8 to fund up to one administrative support staff for the Of-
9 fice.

10 ANIMAL AND PLANT HEALTH INSPECTION SERVICE

11 SALARIES AND EXPENSES

12 (INCLUDING TRANSFERS OF FUNDS)

13 For necessary expenses of the Animal and Plant
14 Health Inspection Service, including up to \$30,000 for
15 representation allowances and for expenses pursuant to
16 the Foreign Service Act of 1980 (22 U.S.C. 4085),
17 \$1,042,711,000, of which \$470,000, to remain available
18 until expended, shall be available for the control of out-
19 breaks of insects, plant diseases, animal diseases and for
20 control of pest animals and birds (“contingency fund”) to
21 the extent necessary to meet emergency conditions; of
22 which \$11,520,000, to remain available until expended,
23 shall be used for the cotton pests program, including for
24 cost share purposes or for debt retirement for active eradi-
25 cation zones; of which \$37,857,000, to remain available

1 until expended, shall be for Animal Health Technical Serv-
2 ices; of which \$1,000,000 shall be for activities under the
3 authority of the Horse Protection Act of 1970, as amend-
4 ed (15 U.S.C. 1831); of which \$62,840,000, to remain
5 available until expended, shall be used to support avian
6 health; of which \$4,251,000, to remain available until ex-
7 pended, shall be for information technology infrastructure;
8 of which \$192,013,000, to remain available until ex-
9 pended, shall be for specialty crop pests; of which,
10 \$13,826,000, to remain available until expended, shall be
11 for field crop and rangeland ecosystem pests; of which
12 \$16,523,000, to remain available until expended, shall be
13 for zoonotic disease management; of which \$40,966,000,
14 to remain available until expended, shall be for emergency
15 preparedness and response; of which \$60,000,000, to re-
16 main available until expended, shall be for tree and wood
17 pests; of which \$5,725,000, to remain available until ex-
18 pended, shall be for the National Veterinary Stockpile; of
19 which up to \$1,500,000, to remain available until ex-
20 pended, shall be for the scrapie program for indemnities;
21 of which \$2,500,000, to remain available until expended,
22 shall be for the wildlife damage management program for
23 aviation safety: *Provided*, That of amounts available under
24 this heading for wildlife services methods development,
25 \$1,000,000 shall remain available until expended: *Pro-*

1 *vided further*, That of amounts available under this head-
2 ing for the screwworm program, \$4,990,000 shall remain
3 available until expended; of which \$20,800,000, to remain
4 available until expended, shall be used to carry out the
5 science program and transition activities for the National
6 Bio and Agro-defense Facility located in Manhattan, Kan-
7 sas: *Provided further*, That of the amounts available to the
8 Animal and Plant Health Inspection Service for the Na-
9 tional Bio and Agro-Defense Facility, no funds may be
10 obligated above the amount provided for the facility in
11 Public Law 116–6 until the Secretary of Agriculture sub-
12 mits to the Committees on Appropriations of both Houses
13 of Congress, and receives written or electronic notification
14 of receipt from such Committees, a strategic plan as re-
15 quired in House Report 116–107: *Provided further*, That
16 no funds shall be used to formulate or administer a brucel-
17 losis eradication program for the current fiscal year that
18 does not require minimum matching by the States of at
19 least 40 percent: *Provided further*, That this appropriation
20 shall be available for the purchase, replacement, operation,
21 and maintenance of aircraft: *Provided further*, That in ad-
22 dition, in emergencies which threaten any segment of the
23 agricultural production industry of the United States, the
24 Secretary may transfer from other appropriations or funds
25 available to the agencies or corporations of the Depart-

1 ment such sums as may be deemed necessary, to be avail-
2 able only in such emergencies for the arrest and eradi-
3 cation of contagious or infectious disease or pests of ani-
4 mals, poultry, or plants, and for expenses in accordance
5 with sections 10411 and 10417 of the Animal Health Pro-
6 tection Act (7 U.S.C. 8310 and 8316) and sections 431
7 and 442 of the Plant Protection Act (7 U.S.C. 7751 and
8 7772), and any unexpended balances of funds transferred
9 for such emergency purposes in the preceding fiscal year
10 shall be merged with such transferred amounts: *Provided*
11 *further*, That appropriations hereunder shall be available
12 pursuant to law (7 U.S.C. 2250) for the repair and alter-
13 ation of leased buildings and improvements, but unless
14 otherwise provided the cost of altering any one building
15 during the fiscal year shall not exceed 10 percent of the
16 current replacement value of the building.

17 In fiscal year 2020, the agency is authorized to collect
18 fees to cover the total costs of providing technical assist-
19 ance, goods, or services requested by States, other political
20 subdivisions, domestic and international organizations,
21 foreign governments, or individuals, provided that such
22 fees are structured such that any entity's liability for such
23 fees is reasonably based on the technical assistance, goods,
24 or services provided to the entity by the agency, and such
25 fees shall be reimbursed to this account, to remain avail-

1 able until expended, without further appropriation, for
2 providing such assistance, goods, or services.

3 BUILDINGS AND FACILITIES

4 For plans, construction, repair, preventive mainte-
5 nance, environmental support, improvement, extension, al-
6 teration, and purchase of fixed equipment or facilities, as
7 authorized by 7 U.S.C. 2250, and acquisition of land as
8 authorized by 7 U.S.C. 2268a, \$3,175,000, to remain
9 available until expended.

10 AGRICULTURAL MARKETING SERVICE

11 MARKETING SERVICES

12 For necessary expenses of the Agricultural Marketing
13 Service, \$186,936,000, of which \$6,000,000 shall be avail-
14 able for the purposes of section 12306 of Public Law 113–
15 79: *Provided*, That this appropriation shall be available
16 pursuant to law (7 U.S.C. 2250) for the alteration and
17 repair of buildings and improvements, but the cost of al-
18 tering any one building during the fiscal year shall not
19 exceed 10 percent of the current replacement value of the
20 building: *Provided further*, That up to \$4,454,000 of this
21 appropriation may be used for United States Warehouse
22 Act activities to supplement amounts made available by
23 the United States Warehouse Act.

1 Fees may be collected for the cost of standardization
2 activities, as established by regulation pursuant to law (31
3 U.S.C. 9701).

4 LIMITATION ON ADMINISTRATIVE EXPENSES

5 Not to exceed \$61,227,000 (from fees collected) shall
6 be obligated during the current fiscal year for administra-
7 tive expenses: *Provided*, That if crop size is understated
8 and/or other uncontrollable events occur, the agency may
9 exceed this limitation by up to 10 percent with notification
10 to the Committees on Appropriations of both Houses of
11 Congress.

12 FUNDS FOR STRENGTHENING MARKETS, INCOME, AND

13 SUPPLY (SECTION 32)

14 (INCLUDING TRANSFERS OF FUNDS)

15 Funds available under section 32 of the Act of Au-
16 gust 24, 1935 (7 U.S.C. 612c), shall be used only for com-
17 modity program expenses as authorized therein, and other
18 related operating expenses, except for: (1) transfers to the
19 Department of Commerce as authorized by the Fish and
20 Wildlife Act of 1956 (16 U.S.C. 742a et seq.); (2) trans-
21 fers otherwise provided in this Act; and (3) not more than
22 \$20,705,000 for formulation and administration of mar-
23 keting agreements and orders pursuant to the Agricultural
24 Marketing Agreement Act of 1937 and the Agricultural
25 Act of 1961 (Public Law 87–128).

1 Products Inspection Act, and the Egg Products Inspection
2 Act, including not to exceed \$10,000 for representation
3 allowances and for expenses pursuant to section 8 of the
4 Act approved August 3, 1956 (7 U.S.C. 1766),
5 \$1,054,344,000; and in addition, \$1,000,000 may be cred-
6 ited to this account from fees collected for the cost of lab-
7 oratory accreditation as authorized by section 1327 of the
8 Food, Agriculture, Conservation and Trade Act of 1990
9 (7 U.S.C. 138f): *Provided*, That funds provided for the
10 Public Health Data Communication Infrastructure system
11 shall remain available until expended: *Provided further*,
12 That no fewer than 148 full-time equivalent positions shall
13 be employed during fiscal year 2020 for purposes dedi-
14 cated solely to inspections and enforcement related to the
15 Humane Methods of Slaughter Act (7 U.S.C. 1901 et
16 seq.): *Provided further*, That the Food Safety and Inspec-
17 tion Service shall continue implementation of section
18 11016 of Public Law 110–246 as further clarified by the
19 amendments made in section 12106 of Public Law 113–
20 79: *Provided further*, That this appropriation shall be
21 available pursuant to law (7 U.S.C. 2250) for the alter-
22 ation and repair of buildings and improvements, but the
23 cost of altering any one building during the fiscal year
24 shall not exceed 10 percent of the current replacement
25 value of the building.

1 TITLE II
2 FARM PRODUCTION AND CONSERVATION
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR FARM
5 PRODUCTION AND CONSERVATION

6 For necessary expenses of the Office of the Under
7 Secretary for Farm Production and Conservation,
8 \$901,000: *Provided*, That funds made available by this
9 Act to an agency in the Farm Production and Conserva-
10 tion mission area for salaries and expenses are available
11 to fund up to one administrative support staff for the Of-
12 fice.

13 FARM PRODUCTION AND CONSERVATION BUSINESS
14 CENTER

15 SALARIES AND EXPENSES

16 (INCLUDING TRANSFERS OF FUNDS)

17 For necessary expenses of the Farm Production and
18 Conservation Business Center, \$203,877,000: *Provided*,
19 That \$60,228,000 of amounts appropriated for the cur-
20 rent fiscal year pursuant to section 1241(a) of the Farm
21 Security and Rural Investment Act of 1985 (16 U.S.C.
22 3841(a)) shall be transferred to and merged with this ac-
23 count.

1 FARM SERVICE AGENCY

2 SALARIES AND EXPENSES

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses of the Farm Service Agency,
5 \$1,122,837,000, of which not less than \$35,000,000 shall
6 be for the hiring of new employees to fill vacancies at
7 Farm Service Agency county offices and farm loan officers
8 and shall be available until September 30, 2021: *Provided*,
9 That not more than 50 percent of the funding made avail-
10 able under this heading for information technology related
11 to farm program delivery may be obligated until the Sec-
12 retary submits to the Committees on Appropriations of
13 both Houses of Congress, and receives written or elec-
14 tronic notification of receipt from such Committees of, a
15 plan for expenditure that (1) identifies for each project/
16 investment over \$25,000 (a) the functional and perform-
17 ance capabilities to be delivered and the mission benefits
18 to be realized, (b) the estimated lifecycle cost for the en-
19 tirety of the project/investment, including estimates for
20 development as well as maintenance and operations, and
21 (c) key milestones to be met; (2) demonstrates that each
22 project/investment is, (a) consistent with the Farm Service
23 Agency Information Technology Roadmap, (b) being man-
24 aged in accordance with applicable lifecycle management
25 policies and guidance, and (c) subject to the applicable De-

1 department's capital planning and investment control re-
2 quirements; and (3) has been reviewed by the Government
3 Accountability Office and approved by the Committees on
4 Appropriations of both Houses of Congress: *Provided fur-*
5 *ther*, That the agency shall submit a report by the end
6 of the fourth quarter of fiscal year 2020 to the Commit-
7 tees on Appropriations and the Government Accountability
8 Office, that identifies for each project/investment that is
9 operational (a) current performance against key indicators
10 of customer satisfaction, (b) current performance of serv-
11 ice level agreements or other technical metrics, (c) current
12 performance against a pre-established cost baseline, (d) a
13 detailed breakdown of current and planned spending on
14 operational enhancements or upgrades, and (e) an assess-
15 ment of whether the investment continues to meet busi-
16 ness needs as intended as well as alternatives to the invest-
17 ment: *Provided further*, That the Secretary is authorized
18 to use the services, facilities, and authorities (but not the
19 funds) of the Commodity Credit Corporation to make pro-
20 gram payments for all programs administered by the
21 Agency: *Provided further*, That other funds made available
22 to the Agency for authorized activities may be advanced
23 to and merged with this account: *Provided further*, That
24 funds made available to county committees shall remain
25 available until expended: *Provided further*, That none of

1 the funds available to the Farm Service Agency shall be
2 used to close Farm Service Agency county offices: *Pro-*
3 *vided further*, That none of the funds available to the
4 Farm Service Agency shall be used to permanently relo-
5 cate county based employees that would result in an office
6 with two or fewer employees without prior notification and
7 approval of the Committees on Appropriations of both
8 Houses of Congress.

9 STATE MEDIATION GRANTS

10 For grants pursuant to section 502(b) of the Agricul-
11 tural Credit Act of 1987, as amended (7 U.S.C. 5101–
12 5106), \$5,545,000.

13 GRASSROOTS SOURCE WATER PROTECTION PROGRAM

14 For necessary expenses to carry out wellhead or
15 groundwater protection activities under section 12400 of
16 the Food Security Act of 1985 (16 U.S.C. 3839bb–2),
17 \$6,500,000, to remain available until expended.

18 DAIRY INDEMNITY PROGRAM

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses involved in making indemnity
21 payments to dairy farmers and manufacturers of dairy
22 products under a dairy indemnity program, such sums as
23 may be necessary, to remain available until expended: *Pro-*
24 *vided*, That such program is carried out by the Secretary
25 in the same manner as the dairy indemnity program de-

1 scribed in the Agriculture, Rural Development, Food and
2 Drug Administration, and Related Agencies Appropria-
3 tions Act, 2001 (Public Law 106–387, 114 Stat. 1549A–
4 12).

5 AGRICULTURAL CREDIT INSURANCE FUND PROGRAM

6 ACCOUNT

7 (INCLUDING TRANSFERS OF FUNDS)

8 For gross obligations for the principal amount of di-
9 rect and guaranteed farm ownership (7 U.S.C. 1922 et
10 seq.) and operating (7 U.S.C. 1941 et seq.) loans, emer-
11 gency loans (7 U.S.C. 1961 et seq.), Indian tribe land ac-
12 quisition loans (25 U.S.C. 5136), boll weevil loans (7
13 U.S.C. 1989), guaranteed conservation loans (7 U.S.C.
14 1924 et seq.), relending program (7 U.S.C. 1936c), and
15 Indian highly fractionated land loans (25 U.S.C. 5136)
16 to be available from funds in the Agricultural Credit In-
17 surance Fund, as follows: \$2,750,000,000 for guaranteed
18 farm ownership loans and \$1,875,000,000 for farm owner-
19 ship direct loans; \$1,960,000,000 for unsubsidized guar-
20 anteed operating loans and \$1,550,133,000 for direct op-
21 erating loans; emergency loans, \$37,668,000; Indian tribe
22 land acquisition loans, \$20,000,000; guaranteed conserva-
23 tion loans, \$150,000,000; relending program,
24 \$18,215,000; Indian highly fractionated land loans,
25 \$10,000,000; and for boll weevil eradication program

1 loans, \$60,000,000: *Provided*, That the Secretary shall
2 deem the pink bollworm to be a boll weevil for the purpose
3 of boll weevil eradication program loans.

4 For the cost of direct and guaranteed loans and
5 grants, including the cost of modifying loans as defined
6 in section 502 of the Congressional Budget Act of 1974,
7 as follows: \$58,440,000 for direct farm operating loans,
8 \$20,972,000 for unsubsidized guaranteed farm operating
9 loans, emergency loans, \$2,023,000; relending program,
10 \$5,000,000; Indian highly fractionated land loans,
11 \$2,745,000; and \$60,000 for boll weevil eradication loans,
12 to remain available until expended.

13 In addition, for administrative expenses necessary to
14 carry out the direct and guaranteed loan programs,
15 \$317,068,000: *Provided*, That of this amount,
16 \$290,917,000 shall be transferred to and merged with the
17 appropriation for “Farm Service Agency, Salaries and Ex-
18 penses”: *Provided further*, That of this amount
19 \$16,081,000 shall be transferred to and merged with the
20 appropriation for “Farm Production and Conservation
21 Business Center, Salaries and Expenses”.

22 Funds appropriated by this Act to the Agricultural
23 Credit Insurance Program Account for farm ownership,
24 operating and conservation direct loans and guaranteed
25 loans may be transferred among these programs: *Pro-*

1 *vided*, That the Committees on Appropriations of both
2 Houses of Congress are notified at least 15 days in ad-
3 vance of any transfer.

4 RISK MANAGEMENT AGENCY

5 SALARIES AND EXPENSES

6 For necessary expenses of the Risk Management
7 Agency, \$58,361,000: *Provided*, That \$2,000,000 shall be
8 available for compliance and integrity activities required
9 under section 516(b)(2)(C) of the Federal Crop Insurance
10 Act of 1938 (7 U.S.C. 1516(b)(2)(C)) in addition to other
11 amounts provided: *Provided further*, That not to exceed
12 \$1,000 shall be available for official reception and rep-
13 resentation expenses, as authorized by 7 U.S.C. 1506(i).

14 NATURAL RESOURCES CONSERVATION SERVICE

15 CONSERVATION OPERATIONS

16 For necessary expenses for carrying out the provi-
17 sions of the Act of April 27, 1935 (16 U.S.C. 590a–f),
18 including preparation of conservation plans and establish-
19 ment of measures to conserve soil and water (including
20 farm irrigation and land drainage and such special meas-
21 ures for soil and water management as may be necessary
22 to prevent floods and the siltation of reservoirs and to con-
23 trol agricultural related pollutants); operation of conserva-
24 tion plant materials centers; classification and mapping of
25 soil; dissemination of information; acquisition of lands,

1 water, and interests therein for use in the plant materials
2 program by donation, exchange, or purchase at a nominal
3 cost not to exceed \$100 pursuant to the Act of August
4 3, 1956 (7 U.S.C. 2268a); purchase and erection or alter-
5 ation or improvement of permanent and temporary build-
6 ings; and operation and maintenance of aircraft,
7 \$829,628,000, to remain available until September 30,
8 2021: *Provided*, That appropriations hereunder shall be
9 available pursuant to 7 U.S.C. 2250 for construction and
10 improvement of buildings and public improvements at
11 plant materials centers, except that the cost of alterations
12 and improvements to other buildings and other public im-
13 provements shall not exceed \$250,000: *Provided further*,
14 That when buildings or other structures are erected on
15 non-Federal land, that the right to use such land is ob-
16 tained as provided in 7 U.S.C. 2250a: *Provided further*,
17 That of the amounts made available under this heading,
18 \$5,600,000, shall remain available until expended for the
19 authorities under 16 U.S.C. 1001–1005 and 1007–1009
20 for authorized ongoing watershed projects with a primary
21 purpose of providing water to rural communities.

22 WATERSHED AND FLOOD PREVENTION OPERATIONS

23 For necessary expenses to carry out preventive meas-
24 ures, including but not limited to surveys and investiga-
25 tions, engineering operations, works of improvement, and

1 changes in use of land, in accordance with the Watershed
2 Protection and Flood Prevention Act (16 U.S.C. 1001–
3 1005 and 1007–1009) and in accordance with the provi-
4 sions of laws relating to the activities of the Department,
5 \$175,000,000, to remain available until expended: *Pro-*
6 *vided*, That for funds provided by this Act or any other
7 prior Act, the limitation regarding the size of the water-
8 shed or subwatershed exceeding two hundred and fifty
9 thousand acres in which such activities can be undertaken
10 shall only apply for activities undertaken for the primary
11 purpose of flood prevention (including structural and land
12 treatment measures): *Provided further*, That of the
13 amounts made available under this heading, \$70,000,000
14 shall be allocated to projects and activities that can com-
15 mence promptly following enactment; that address re-
16 gional priorities for flood prevention, agricultural water
17 management, inefficient irrigation systems, fish and wild-
18 life habitat, or watershed protection; or that address au-
19 thorized ongoing projects under the authorities of section
20 13 of the Flood Control Act of December 22, 1944 (Public
21 Law 78–534) with a primary purpose of watershed protec-
22 tion by preventing floodwater damage and stabilizing
23 stream channels, tributaries, and banks to reduce erosion
24 and sediment transport.

1 WATERSHED REHABILITATION PROGRAM

2 Under the authorities of section 14 of the Watershed
3 Protection and Flood Prevention Act, \$10,000,000 is pro-
4 vided: *Provided*, That of the amounts made available
5 under this heading, \$5,000,000 shall remain available
6 until expended for watershed rehabilitation projects in
7 states with high-hazard dams and other watershed struc-
8 tures and that have recently incurred flooding events
9 which caused fatalities.

10 CORPORATIONS

11 The following corporations and agencies are hereby
12 authorized to make expenditures, within the limits of
13 funds and borrowing authority available to each such cor-
14 poration or agency and in accord with law, and to make
15 contracts and commitments without regard to fiscal year
16 limitations as provided by section 104 of the Government
17 Corporation Control Act as may be necessary in carrying
18 out the programs set forth in the budget for the current
19 fiscal year for such corporation or agency, except as here-
20 inafter provided.

21 FEDERAL CROP INSURANCE CORPORATION FUND

22 For payments as authorized by section 516 of the
23 Federal Crop Insurance Act (7 U.S.C. 1516), such sums
24 as may be necessary, to remain available until expended.

1 COMMODITY CREDIT CORPORATION FUND
2 REIMBURSEMENT FOR NET REALIZED LOSSES
3 (INCLUDING TRANSFERS OF FUNDS)

4 For the current fiscal year, such sums as may be nec-
5 essary to reimburse the Commodity Credit Corporation for
6 net realized losses sustained, but not previously reim-
7 bursed, pursuant to section 2 of the Act of August 17,
8 1961 (15 U.S.C. 713a–11): *Provided*, That of the funds
9 available to the Commodity Credit Corporation under sec-
10 tion 11 of the Commodity Credit Corporation Charter Act
11 (15 U.S.C. 714i) for the conduct of its business with the
12 Foreign Agricultural Service, up to \$5,000,000 may be
13 transferred to and used by the Foreign Agricultural Serv-
14 ice for information resource management activities of the
15 Foreign Agricultural Service that are not related to Com-
16 modity Credit Corporation business.

17 HAZARDOUS WASTE MANAGEMENT
18 (LIMITATION ON EXPENSES)

19 For the current fiscal year, the Commodity Credit
20 Corporation shall not expend more than \$5,000,000 for
21 site investigation and cleanup expenses, and operations
22 and maintenance expenses to comply with the requirement
23 of section 107(g) of the Comprehensive Environmental
24 Response, Compensation, and Liability Act (42 U.S.C.

1 9607(g)), and section 6001 of the Solid Waste Disposal
2 Act (42 U.S.C. 6961).

1 TITLE III
2 RURAL DEVELOPMENT PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR RURAL
4 DEVELOPMENT

5 For necessary expenses of the Office of the Under
6 Secretary for Rural Development, \$800,000: *Provided*,
7 That funds made available by this Act to an agency in
8 the Rural Development mission area for salaries and ex-
9 penses are available to fund up to one administrative sup-
10 port staff for the Office.

11 RURAL DEVELOPMENT
12 SALARIES AND EXPENSES
13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses for carrying out the adminis-
15 tration and implementation of Rural Development pro-
16 grams, including activities with institutions concerning the
17 development and operation of agricultural cooperatives;
18 and for cooperative agreements; \$247,835,000: *Provided*,
19 That notwithstanding any other provision of law, funds
20 appropriated under this heading may be used for adver-
21 tising and promotional activities that support Rural Devel-
22 opment programs: *Provided further*, That in addition to
23 any other funds appropriated for purposes authorized by
24 section 502(i) of the Housing Act of 1949 (42 U.S.C.
25 1472(i)), any amounts collected under such section, as

1 amended by this Act, will immediately be credited to this
2 account and will remain available until expended for such
3 purposes.

4 **RURAL HOUSING SERVICE**

5 **RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT**

6 **(INCLUDING TRANSFERS OF FUNDS)**

7 For gross obligations for the principal amount of di-
8 rect and guaranteed loans as authorized by title V of the
9 Housing Act of 1949, to be available from funds in the
10 rural housing insurance fund, as follows: \$1,000,000,000
11 shall be for direct loans and \$24,000,000,000 shall be for
12 unsubsidized guaranteed loans; \$28,000,000 for section
13 504 housing repair loans; \$40,000,000 for section 515
14 rental housing; \$230,000,000 for section 538 guaranteed
15 multi-family housing loans; \$10,000,000 for credit sales
16 of single family housing acquired property; \$5,000,000 for
17 section 523 self-help housing land development loans; and
18 \$5,000,000 for section 524 site development loans.

19 For the cost of direct and guaranteed loans, including
20 the cost of modifying loans, as defined in section 502 of
21 the Congressional Budget Act of 1974, as follows: section
22 502 loans, \$90,000,000 shall be for direct loans; section
23 504 housing repair loans, \$4,679,000; section 523 self-
24 help housing land development loans, \$577,000; section
25 524 site development loans, \$546,000; and repair, reha-

1 bilitation, and new construction of section 515 rental
2 housing, \$12,144,000: *Provided*, That to support the loan
3 program level for section 538 guaranteed loans made
4 available under this heading the Secretary may charge or
5 adjust any fees to cover the projected cost of such loan
6 guarantees pursuant to the provisions of the Credit Re-
7 form Act of 1990 (2 U.S.C. 661 et seq.), and the interest
8 on such loans may not be subsidized: *Provided further*,
9 That applicants in communities that have a current rural
10 area waiver under section 541 of the Housing Act of 1949
11 (42 U.S.C. 1490q) shall be treated as living in a rural
12 area for purposes of section 502 guaranteed loans pro-
13 vided under this heading: *Provided further*, That of the
14 amounts available under this paragraph for section 502
15 direct loans, no less than \$5,000,000 shall be available for
16 direct loans for individuals whose homes will be built pur-
17 suant to a program funded with a mutual and self-help
18 housing grant authorized by section 523 of the Housing
19 Act of 1949 until June 1, 2020: *Provided further*, That
20 the Secretary shall implement provisions to provide incen-
21 tives to nonprofit organizations and public housing au-
22 thorities to facilitate the acquisition of Rural Housing
23 Service (RHS) multifamily housing properties by such
24 nonprofit organizations and public housing authorities
25 that commit to keep such properties in the RHS multi-

1 family housing program for a period of time as determined
2 by the Secretary, with such incentives to include, but not
3 be limited to, the following: allow such nonprofit entities
4 and public housing authorities to earn a Return on Invest-
5 ment on their own resources to include proceeds from low
6 income housing tax credit syndication, own contributions,
7 grants, and developer loans at favorable rates and terms,
8 invested in a deal; and allow reimbursement of organiza-
9 tional costs associated with owner's oversight of asset re-
10 ferred to as "Asset Management Fee" of up to \$7,500
11 per property.

12 In addition, for the cost of direct loans, grants, and
13 contracts, as authorized by sections 514 and 516 of the
14 Housing Act of 1949 (42 U.S.C. 1484, 1486),
15 \$18,739,000, to remain available until expended, for direct
16 farm labor housing loans and domestic farm labor housing
17 grants and contracts: *Provided*, That any balances avail-
18 able for the Farm Labor Program Account shall be trans-
19 ferred to and merged with this account.

20 In addition, for administrative expenses necessary to
21 carry out the direct and guaranteed loan programs,
22 \$412,254,000 shall be transferred to and merged with the
23 appropriation for "Rural Development, Salaries and Ex-
24 penses".

1 RENTAL ASSISTANCE PROGRAM

2 For rental assistance agreements entered into or re-
3 newed pursuant to the authority under section 521(a)(2)
4 of the Housing Act of 1949 or agreements entered into
5 in lieu of debt forgiveness or payments for eligible house-
6 holds as authorized by section 502(c)(5)(D) of the Hous-
7 ing Act of 1949, \$1,375,000,000, of which \$40,000,000
8 shall be available until September 30, 2021; and in addi-
9 tion such sums as may be necessary, as authorized by sec-
10 tion 521(c) of the Act, to liquidate debt incurred prior to
11 fiscal year 1992 to carry out the rental assistance program
12 under section 521(a)(2) of the Act: *Provided*, That rental
13 assistance agreements entered into or renewed during the
14 current fiscal year shall be funded for a one-year period:
15 *Provided further*, That upon request by an owner of a
16 project financed by an existing loan under section 514 or
17 515 of the Act, the Secretary may renew the rental assist-
18 ance agreement for a period of 20 years or until the term
19 of such loan has expired, subject to annual appropriations:
20 *Provided further*, That any unexpended balances remain-
21 ing at the end of such one-year agreements may be trans-
22 ferred and used for purposes of any debt reduction; main-
23 tenance, repair, or rehabilitation of any existing projects;
24 preservation; and rental assistance activities authorized
25 under title V of the Act: *Provided further*, That rental as-

1 sistance provided under agreements entered into prior to
2 fiscal year 2020 for a farm labor multi-family housing
3 project financed under section 514 or 516 of the Act may
4 not be recaptured for use in another project until such
5 assistance has remained unused for a period of 12 con-
6 secutive months, if such project has a waiting list of ten-
7 ants seeking such assistance or the project has rental as-
8 sistance eligible tenants who are not receiving such assist-
9 ance: *Provided further*, That such recaptured rental assist-
10 ance shall, to the extent practicable, be applied to another
11 farm labor multi-family housing project financed under
12 section 514 or 516 of the Act: *Provided further*, That ex-
13 cept as provided in the fourth proviso under this heading
14 and notwithstanding any other provision of the Act, the
15 Secretary may recapture rental assistance provided under
16 agreements entered into prior to fiscal year 2020 for a
17 project that the Secretary determines no longer needs
18 rental assistance and use such recaptured funds for cur-
19 rent needs.

20 MULTI-FAMILY HOUSING REVITALIZATION PROGRAM

21 ACCOUNT

22 For the rural housing voucher program as authorized
23 under section 542 of the Housing Act of 1949, but not-
24 withstanding subsection (b) of such section, and for addi-
25 tional costs to conduct a demonstration program for the

1 preservation and revitalization of multi-family rental hous-
2 ing properties described in this paragraph, \$60,000,000,
3 to remain available until expended: *Provided*, That of the
4 funds made available under this heading, \$32,000,000,
5 shall be available for rural housing vouchers to any low-
6 income household (including those not receiving rental as-
7 sistance) residing in a property financed with a section
8 515 loan which has been prepaid after September 30,
9 2005: *Provided further*, That the amount of such voucher
10 shall be the difference between comparable market rent
11 for the section 515 unit and the tenant paid rent for such
12 unit: *Provided further*, That funds made available for such
13 vouchers shall be subject to the availability of annual ap-
14 propriations: *Provided further*, That the Secretary shall,
15 to the maximum extent practicable, administer such
16 vouchers with current regulations and administrative guid-
17 ance applicable to section 8 housing vouchers administered
18 by the Secretary of the Department of Housing and Urban
19 Development: *Provided further*, That if the Secretary de-
20 termines that the amount made available for vouchers in
21 this or any other Act is not needed for vouchers, the Sec-
22 retary may use such funds for the demonstration program
23 for the preservation and revitalization of multi-family
24 rental housing properties described in this paragraph: *Pro-*
25 *vided further*, That of the funds made available under this

1 heading, \$28,000,000 shall be available for a demonstra-
2 tion program for the preservation and revitalization of the
3 sections 514, 515, and 516 multi-family rental housing
4 properties to restructure existing USDA multi-family
5 housing loans, as the Secretary deems appropriate, ex-
6 pressly for the purposes of ensuring the project has suffi-
7 cient resources to preserve the project for the purpose of
8 providing safe and affordable housing for low-income resi-
9 dents and farm laborers including reducing or eliminating
10 interest; deferring loan payments, subordinating, reducing
11 or reamortizing loan debt; and other financial assistance
12 including advances, payments and incentives (including
13 the ability of owners to obtain reasonable returns on in-
14 vestment) required by the Secretary: *Provided further,*
15 That the Secretary shall as part of the preservation and
16 revitalization agreement obtain a restrictive use agreement
17 consistent with the terms of the restructuring: *Provided*
18 *further,* That if the Secretary determines that additional
19 funds for vouchers described in this paragraph are needed,
20 funds for the preservation and revitalization demonstra-
21 tion program may be used for such vouchers: *Provided fur-*
22 *ther,* That if Congress enacts legislation to permanently
23 authorize a multi-family rental housing loan restructuring
24 program similar to the demonstration program described
25 herein, the Secretary may use funds made available for

1 the demonstration program under this heading to carry
2 out such legislation with the prior approval of the Commit-
3 tees on Appropriations of both Houses of Congress: *Pro-*
4 *vided further*, That in addition to any other available
5 funds, the Secretary may expend not more than
6 \$1,000,000 total, from the program funds made available
7 under this heading, for administrative expenses for activi-
8 ties funded under this heading.

9 MUTUAL AND SELF-HELP HOUSING GRANTS

10 For grants and contracts pursuant to section
11 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C.
12 1490c), \$31,000,000, to remain available until expended.

13 RURAL HOUSING ASSISTANCE GRANTS

14 For grants for very low-income housing repair and
15 rural housing preservation made by the Rural Housing
16 Service, as authorized by 42 U.S.C. 1474, and 1490m,
17 \$45,000,000, to remain available until expended.

18 RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

19 (INCLUDING TRANSFERS OF FUNDS)

20 For gross obligations for the principal amount of di-
21 rect and guaranteed loans as authorized by section 306
22 and described in section 381E(d)(1) of the Consolidated
23 Farm and Rural Development Act, \$2,800,000,000 for di-
24 rect loans and \$500,000,000 for guaranteed loans.

1 For the cost of grants for rural community facilities
2 programs as authorized by section 306 and described in
3 section 381E(d)(1) of the Consolidated Farm and Rural
4 Development Act, \$49,000,000, to remain available until
5 expended: *Provided*, That \$6,000,000 of the amount ap-
6 propriated under this heading shall be available for a
7 Rural Community Development Initiative: *Provided fur-*
8 *ther*, That such funds shall be used solely to develop the
9 capacity and ability of private, nonprofit community-based
10 housing and community development organizations, low-
11 income rural communities, and Federally Recognized Na-
12 tive American Tribes to undertake projects to improve
13 housing, community facilities, community and economic
14 development projects in rural areas: *Provided further*,
15 That such funds shall be made available to qualified pri-
16 vate, nonprofit and public intermediary organizations pro-
17 posing to carry out a program of financial and technical
18 assistance: *Provided further*, That such intermediary orga-
19 nizations shall provide matching funds from other sources,
20 including Federal funds for related activities, in an
21 amount not less than funds provided: *Provided further*,
22 That \$6,000,000 of the amount appropriated under this
23 heading shall be to provide grants for facilities in rural
24 communities with extreme unemployment and severe eco-
25 nomic depression (Public Law 106–387), with up to 5 per-

1 cent for administration and capacity building in the State
2 rural development offices: *Provided further*, That
3 \$5,000,000 of the amount appropriated under this head-
4 ing shall be available for community facilities grants to
5 tribal colleges, as authorized by section 306(a)(19) of such
6 Act: *Provided further*, That sections 381E–H and 381N
7 of the Consolidated Farm and Rural Development Act are
8 not applicable to the funds made available under this
9 heading.

10 RURAL BUSINESS—COOPERATIVE SERVICE

11 RURAL BUSINESS PROGRAM ACCOUNT

12 (INCLUDING TRANSFERS OF FUNDS)

13 For the cost of loan guarantees and grants, for the
14 rural business development programs authorized by sec-
15 tion 310B and described in subsections (a), (c), (f) and
16 (g) of section 310B of the Consolidated Farm and Rural
17 Development Act, \$66,500,000, to remain available until
18 expended: *Provided*, That of the amount appropriated
19 under this heading, not to exceed \$500,000 shall be made
20 available for one grant to a qualified national organization
21 to provide technical assistance for rural transportation in
22 order to promote economic development and \$9,000,000
23 shall be for grants to the Delta Regional Authority (7
24 U.S.C. 2009aa et seq.), the Northern Border Regional
25 Commission (40 U.S.C. 15101 et seq.), and the Appa-

1 lachian Regional Commission (40 U.S.C. 14101 et seq.)
2 for any Rural Community Advancement Program purpose
3 as described in section 381E(d) of the Consolidated Farm
4 and Rural Development Act, of which not more than 5
5 percent may be used for administrative expenses: *Provided*
6 *further*, That \$4,000,000 of the amount appropriated
7 under this heading shall be for business grants to benefit
8 Federally Recognized Native American Tribes, including
9 \$250,000 for a grant to a qualified national organization
10 to provide technical assistance for rural transportation in
11 order to promote economic development: *Provided further*,
12 That sections 381E–H and 381N of the Consolidated
13 Farm and Rural Development Act are not applicable to
14 funds made available under this heading.

15 INTERMEDIARY RELENDING PROGRAM FUND ACCOUNT

16 (INCLUDING TRANSFER OF FUNDS)

17 For the principal amount of direct loans, as author-
18 ized by the Intermediary Relending Program Fund Ac-
19 ount (7 U.S.C. 1936b), \$18,889,000.

20 For the cost of direct loans, \$5,219,000, as author-
21 ized by the Intermediary Relending Program Fund Ac-
22 ount (7 U.S.C. 1936b), of which \$557,000 shall be avail-
23 able through June 30, 2020, for Federally Recognized Na-
24 tive American Tribes; and of which \$1,072,000 shall be
25 available through June 30, 2020, for Mississippi Delta Re-

1 gion counties (as determined in accordance with Public
2 Law 100–460): *Provided*, That such costs, including the
3 cost of modifying such loans, shall be as defined in section
4 502 of the Congressional Budget Act of 1974.

5 In addition, for administrative expenses to carry out
6 the direct loan programs, \$4,468,000 shall be transferred
7 to and merged with the appropriation for “Rural Develop-
8 ment, Salaries and Expenses”.

9 RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM

10 ACCOUNT

11 For the principal amount of direct loans, as author-
12 ized under section 313B(a) of the Rural Electrification
13 Act, for the purpose of promoting rural economic develop-
14 ment and job creation projects, \$50,000,000.

15 The cost of grants authorized under section 313B(a)
16 of the Rural Electrification Act, for the purpose of pro-
17 moting rural economic development and job creation
18 projects shall not exceed \$10,000,000.

19 RURAL COOPERATIVE DEVELOPMENT GRANTS

20 For rural cooperative development grants authorized
21 under section 310B(e) of the Consolidated Farm and
22 Rural Development Act (7 U.S.C. 1932), \$26,600,000, of
23 which \$2,800,000 shall be for cooperative agreements for
24 the appropriate technology transfer for rural areas pro-
25 gram: *Provided*, That not to exceed \$3,000,000 shall be

1 for grants for cooperative development centers, individual
2 cooperatives, or groups of cooperatives that serve socially
3 disadvantaged groups and a majority of the boards of di-
4 rectors or governing boards of which are comprised of in-
5 dividuals who are members of socially disadvantaged
6 groups; and of which \$15,000,000, to remain available
7 until expended, shall be for value-added agricultural prod-
8 uct market development grants, as authorized by section
9 210A of the Agricultural Marketing Act of 1946, of which
10 \$3,000,000, to remain available until expended, shall be
11 for Agriculture Innovation Centers authorized pursuant to
12 section 6402 of Public Law 107–171.

13 RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM

14 For the cost of loans and grants, \$6,000,000 under
15 the same terms and conditions as authorized by section
16 379E of the Consolidated Farm and Rural Development
17 Act (7 U.S.C. 2008s): *Provided*, That such costs of loans,
18 including the cost of modifying such loans, shall be defined
19 in section 502 of the Congressional Budget Act of 1974.

20 RURAL ENERGY FOR AMERICA PROGRAM

21 For the cost of a program of loan guarantees, under
22 the same terms and conditions as authorized by section
23 9007 of the Farm Security and Rural Investment Act of
24 2002 (7 U.S.C. 8107), \$706,000: *Provided*, That the cost
25 of loan guarantees, including the cost of modifying such

1 loans, shall be as defined in section 502 of the Congres-
2 sional Budget Act of 1974.

3 RURAL UTILITIES SERVICE

4 RURAL WATER AND WASTE DISPOSAL PROGRAM ACCOUNT
5 (INCLUDING TRANSFERS OF FUNDS)

6 For the cost of direct loans, loan guarantees and
7 grants for rural water, waste water, waste disposal, and
8 solid waste management programs authorized by sections
9 306, 306A, 306C, 306D, 306E, and 310B and described
10 in sections 306C(a)(2), 306D, 306E, and 381E(d)(2) of
11 the Consolidated Farm and Rural Development Act,
12 \$659,480,000, to remain available until expended, of
13 which not to exceed \$1,000,000 shall be available for the
14 rural utilities program described in section 306(a)(2)(B)
15 of such Act, and of which not to exceed \$5,000,000 shall
16 be available for the rural utilities program described in
17 section 306E of such Act: *Provided*, That not to exceed
18 \$15,000,000 of the amount appropriated under this head-
19 ing shall be for grants authorized by section 306A(i)(2)
20 of the Consolidated Farm and Rural Development Act in
21 addition to funding authorized by section 306A(i)(1) of
22 such Act: *Provided further*, That \$68,000,000 of the
23 amount appropriated under this heading shall be for loans
24 and grants including water and waste disposal systems
25 grants authorized by section 306C(a)(2)(B) and section

1 306D of the Consolidated Farm and Rural Development
2 Act, and Federally Recognized Native American Tribes
3 authorized by 306C(a)(1) of such Act: *Provided further*,
4 That funding provided for section 306D of the Consoli-
5 dated Farm and Rural Development Act may be provided
6 to a consortium formed pursuant to section 325 of Public
7 Law 105–83: *Provided further*, That not more than 2 per-
8 cent of the funding provided for section 306D of the Con-
9 solidated Farm and Rural Development Act may be used
10 by the State of Alaska for training and technical assist-
11 ance programs and not more than 2 percent of the funding
12 provided for section 306D of the Consolidated Farm and
13 Rural Development Act may be used by a consortium
14 formed pursuant to section 325 of Public Law 105–83 for
15 training and technical assistance programs: *Provided fur-*
16 *ther*, That not to exceed \$30,000,000 of the amount ap-
17 propriated under this heading shall be for technical assist-
18 ance grants for rural water and waste systems pursuant
19 to section 306(a)(14) of such Act, unless the Secretary
20 makes a determination of extreme need, of which
21 \$8,000,000 shall be made available for a grant to a quali-
22 fied nonprofit multi-State regional technical assistance or-
23 ganization, with experience in working with small commu-
24 nities on water and waste water problems, the principal
25 purpose of such grant shall be to assist rural communities

1 with populations of 3,300 or less, in improving the plan-
2 ning, financing, development, operation, and management
3 of water and waste water systems, and of which not less
4 than \$800,000 shall be for a qualified national Native
5 American organization to provide technical assistance for
6 rural water systems for tribal communities: *Provided fur-*
7 *ther*, That not to exceed \$19,570,000 of the amount ap-
8 propriated under this heading shall be for contracting with
9 qualified national organizations for a circuit rider program
10 to provide technical assistance for rural water systems:
11 *Provided further*, That not to exceed \$4,000,000 shall be
12 for solid waste management grants: *Provided further*, That
13 \$10,000,000 of the amount appropriated under this head-
14 ing shall be transferred to, and merged with, the Rural
15 Utilities Service, High Energy Cost Grants Account to
16 provide grants authorized under section 19 of the Rural
17 Electrification Act of 1936 (7 U.S.C. 918a): *Provided fur-*
18 *ther*, That any prior year balances for high-energy cost
19 grants authorized by section 19 of the Rural Electrifica-
20 tion Act of 1936 (7 U.S.C. 918a) shall be transferred to
21 and merged with the Rural Utilities Service, High Energy
22 Cost Grants Account: *Provided further*, That sections
23 381E–H and 381N of the Consolidated Farm and Rural
24 Development Act are not applicable to the funds made
25 available under this heading.

1 RURAL ELECTRIFICATION AND TELECOMMUNICATIONS
2 LOANS PROGRAM ACCOUNT
3 (INCLUDING TRANSFER OF FUNDS)

4 The principal amount of direct and guaranteed loans
5 as authorized by sections 305, 306, and 317 of the Rural
6 Electrification Act of 1936 (7 U.S.C. 935, 936, and 940g)
7 shall be made as follows: loans made pursuant to sections
8 305, 306, and 317, notwithstanding 317(c), of that Act,
9 rural electric, \$5,500,000,000; guaranteed underwriting
10 loans pursuant to section 313A of that Act, \$750,000,000;
11 5 percent rural telecommunications loans, cost of money
12 rural telecommunications loans, and for loans made pursu-
13 ant to section 306 of that Act, rural telecommunications
14 loans, \$690,000,000: *Provided*, That up to
15 \$2,000,000,000 shall be used for the construction, acquisi-
16 tion, design and engineering or improvement of fossil-
17 fueled electric generating plants (whether new or existing)
18 that utilize carbon subsurface utilization and storage sys-
19 tems.

20 For the cost of direct loans as authorized by section
21 305 of the Rural Electrification Act of 1936 (7 U.S.C.
22 935), including the cost of modifying loans, as defined in
23 section 502 of the Congressional Budget Act of 1974, cost
24 of money rural telecommunications loans, \$3,795,000.

1 In addition, \$35,000,000, to remain available until
2 expended, for a grant program to finance broadband
3 transmission in rural areas eligible for Distance Learning
4 and Telemedicine Program benefits authorized by 7
5 U.S.C. 950aaa et seq.

1 TITLE IV
2 DOMESTIC FOOD PROGRAMS
3 OFFICE OF THE UNDER SECRETARY FOR FOOD,
4 NUTRITION, AND CONSUMER SERVICES

5 For necessary expenses of the Office of the Under
6 Secretary for Food, Nutrition, and Consumer Services,
7 \$800,000: *Provided*, That funds made available by this
8 Act to an agency in the Food, Nutrition and Consumer
9 Services mission area for salaries and expenses are avail-
10 able to fund up to one administrative support staff for
11 the Office.

12 FOOD AND NUTRITION SERVICE
13 CHILD NUTRITION PROGRAMS
14 (INCLUDING TRANSFERS OF FUNDS)

15 For necessary expenses to carry out the Richard B.
16 Russell National School Lunch Act (42 U.S.C. 1751 et
17 seq.), except section 21, and the Child Nutrition Act of
18 1966 (42 U.S.C. 1771 et seq.), except sections 17 and
19 21; \$23,615,098,000 to remain available through Sep-
20 tember 30, 2021, of which such sums as are made avail-
21 able under section 14222(b)(1) of the Food, Conservation,
22 and Energy Act of 2008 (Public Law 110–246), as
23 amended by this Act, shall be merged with and available
24 for the same time period and purposes as provided herein:
25 *Provided*, That of the total amount available, \$18,004,000

1 shall be available to carry out section 19 of the Child Nu-
2 trition Act of 1966 (42 U.S.C. 1771 et seq.): *Provided*
3 *further*, That of the total amount available, \$14,999,000
4 shall be available to carry out studies and evaluations and
5 shall remain available until expended: *Provided further*,
6 That of the total amount available, \$30,000,000 shall be
7 available to provide competitive grants to State agencies
8 for subgrants to local educational agencies and schools to
9 purchase the equipment, with a value of greater than
10 \$1,000, needed to serve healthier meals, improve food
11 safety, and to help support the establishment, mainte-
12 nance, or expansion of the school breakfast program: *Pro-*
13 *vided further*, That of the total amount available,
14 \$35,000,000 shall remain available until expended to carry
15 out section 749(g) of the Agriculture Appropriations Act
16 of 2010 (Public Law 111–80): *Provided further*, That sec-
17 tion 26(d) of the Richard B. Russell National School
18 Lunch Act (42 U.S.C. 1769g(d)) is amended in the first
19 sentence by striking “2010 through 2019” and inserting
20 “2010 through 2021”: *Provided further*, That section
21 9(h)(3) of the Richard B. Russell National School Lunch
22 Act (42 U.S.C. 1758(h)(3)) is amended in the first sen-
23 tence by striking “For fiscal year 2019” and inserting
24 “For fiscal year 2020”: *Provided further*, That section
25 9(h)(4) of the Richard B. Russell National School Lunch

1 Act (42 U.S.C. 1758(h)(4)) is amended in the first sen-
2 tence by striking “For fiscal year 2019” and inserting
3 “For fiscal year 2020”.

4 SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR
5 WOMEN, INFANTS, AND CHILDREN (WIC)

6 For necessary expenses to carry out the special sup-
7 plemental nutrition program as authorized by section 17
8 of the Child Nutrition Act of 1966 (42 U.S.C. 1786),
9 \$6,000,000,000, to remain available through September
10 30, 2021: *Provided*, That notwithstanding section
11 17(h)(10) of the Child Nutrition Act of 1966 (42 U.S.C.
12 1786(h)(10)), not less than \$90,000,000 shall be used for
13 breastfeeding peer counselors and other related activities,
14 and \$14,000,000 shall be used for infrastructure: *Pro-*
15 *vided further*, That none of the funds provided in this ac-
16 count shall be available for the purchase of infant formula
17 except in accordance with the cost containment and com-
18 petitive bidding requirements specified in section 17 of
19 such Act: *Provided further*, That none of the funds pro-
20 vided shall be available for activities that are not fully re-
21 imbursed by other Federal Government departments or
22 agencies unless authorized by section 17 of such Act: *Pro-*
23 *vided further*, That upon termination of a federally man-
24 dated vendor moratorium and subject to terms and condi-
25 tions established by the Secretary, the Secretary may

1 waive the requirement at 7 CFR 246.12(g)(6) at the re-
2 quest of a State agency.

3 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

4 For necessary expenses to carry out the Food and
5 Nutrition Act of 2008 (7 U.S.C. 2011 et seq.),
6 \$67,886,285,000, of which \$3,000,000,000, to remain
7 available through September 30, 2022, shall be placed in
8 reserve for use only in such amounts and at such times
9 as may become necessary to carry out program operations:
10 *Provided*, That funds provided herein shall be expended
11 in accordance with section 16 of the Food and Nutrition
12 Act of 2008: *Provided further*, That of the funds made
13 available under this heading, \$998,000 may be used to
14 provide nutrition education services to State agencies and
15 Federally Recognized Tribes participating in the Food
16 Distribution Program on Indian Reservations: *Provided*
17 *further*, That this appropriation shall be subject to any
18 work registration or workfare requirements as may be re-
19 quired by law: *Provided further*, That funds made available
20 for Employment and Training under this heading shall re-
21 main available through September 30, 2021: *Provided fur-*
22 *ther*, That funds made available under this heading for
23 section 28(d)(1), section 4(b), and section 27(a) of the
24 Food and Nutrition Act of 2008 shall remain available
25 through September 30, 2021: *Provided further*, That none

1 of the funds made available under this heading may be
2 obligated or expended in contravention of section 213A of
3 the Immigration and Nationality Act (8 U.S.C. 1183A):
4 *Provided further*, That funds made available under this
5 heading may be used to enter into contracts and employ
6 staff to conduct studies, evaluations, or to conduct activi-
7 ties related to program integrity provided that such activi-
8 ties are authorized by the Food and Nutrition Act of 2008.

9 COMMODITY ASSISTANCE PROGRAM

10 For necessary expenses to carry out disaster assist-
11 ance and the Commodity Supplemental Food Program as
12 authorized by section 4(a) of the Agriculture and Con-
13 sumer Protection Act of 1973 (7 U.S.C. 612c note); the
14 Emergency Food Assistance Act of 1983; special assist-
15 ance for the nuclear affected islands, as authorized by sec-
16 tion 103(f)(2) of the Compact of Free Association Amend-
17 ments Act of 2003 (Public Law 108–188); and the Farm-
18 ers’ Market Nutrition Program, as authorized by section
19 17(m) of the Child Nutrition Act of 1966, \$344,248,000,
20 to remain available through September 30, 2021: *Pro-*
21 *vided*, That none of these funds shall be available to reim-
22 burse the Commodity Credit Corporation for commodities
23 donated to the program: *Provided further*, That notwith-
24 standing any other provision of law, effective with funds
25 made available in fiscal year 2020 to support the Seniors

1 Farmers' Market Nutrition Program, as authorized by
2 section 4402 of the Farm Security and Rural Investment
3 Act of 2002, such funds shall remain available through
4 September 30, 2021: *Provided further*, That of the funds
5 made available under section 27(a) of the Food and Nutri-
6 tion Act of 2008 (7 U.S.C. 2036(a)), the Secretary may
7 use up to 20 percent for costs associated with the distribu-
8 tion of commodities.

9 NUTRITION PROGRAMS ADMINISTRATION

10 For necessary administrative expenses of the Food
11 and Nutrition Service for carrying out any domestic nutri-
12 tion assistance program, \$155,891,000: *Provided*, That of
13 the funds provided herein, \$2,000,000 shall be used for
14 the purposes of section 4404 of Public Law 107–171, as
15 amended by section 4401 of Public Law 110–246.

1 TITLE V
2 FOREIGN ASSISTANCE AND RELATED
3 PROGRAMS

4 OFFICE OF THE UNDER SECRETARY FOR TRADE AND
5 FOREIGN AGRICULTURAL AFFAIRS

6 For necessary expenses of the Office of the Under
7 Secretary for Trade and Foreign Agricultural Affairs,
8 \$875,000: *Provided*, That funds made available by this
9 Act to any agency in the Trade and Foreign Agricultural
10 Affairs mission area for salaries and expenses are avail-
11 able to fund up to one administrative support staff for
12 the Office.

13 OFFICE OF CODEX ALIMENTARIUS

14 For necessary expenses of the Office of Codex
15 Alimentarius, \$4,775,000, including not to exceed
16 \$40,000 for official reception and representation expenses.

17 FOREIGN AGRICULTURAL SERVICE

18 SALARIES AND EXPENSES

19 (INCLUDING TRANSFERS OF FUNDS)

20 For necessary expenses of the Foreign Agricultural
21 Service, including not to exceed \$250,000 for representa-
22 tion allowances and for expenses pursuant to section 8 of
23 the Act approved August 3, 1956 (7 U.S.C. 1766),
24 \$215,513,000, of which no more than 6 percent shall re-
25 main available until September 30, 2021, for overseas op-

1 erations to include the payment of locally employed staff:
2 *Provided*, That the Service may utilize advances of funds,
3 or reimburse this appropriation for expenditures made on
4 behalf of Federal agencies, public and private organiza-
5 tions and institutions under agreements executed pursu-
6 ant to the agricultural food production assistance pro-
7 grams (7 U.S.C. 1737) and the foreign assistance pro-
8 grams of the United States Agency for International De-
9 velopment: *Provided further*, That funds made available
10 for middle-income country training programs, funds made
11 available for the Borlaug International Agricultural
12 Science and Technology Fellowship program, and up to
13 \$2,000,000 of the Foreign Agricultural Service appropria-
14 tion solely for the purpose of offsetting fluctuations in
15 international currency exchange rates, subject to docu-
16 mentation by the Foreign Agricultural Service, shall re-
17 main available until expended.

18 FOOD FOR PEACE TITLE I DIRECT CREDIT AND FOOD
19 FOR PROGRESS PROGRAM ACCOUNT
20 (INCLUDING TRANSFER OF FUNDS)

21 For administrative expenses to carry out the credit
22 program of title I, Food for Peace Act (Public Law 83–
23 480) and the Food for Progress Act of 1985, \$142,000,
24 shall be transferred to and merged with the appropriation
25 for “Farm Service Agency, Salaries and Expenses”.

1 FOOD FOR PEACE TITLE II GRANTS

2 For expenses during the current fiscal year, not oth-
3 erwise recoverable, and unrecovered prior years' costs, in-
4 cluding interest thereon, under the Food for Peace Act
5 (Public Law 83–480), for commodities supplied in connec-
6 tion with dispositions abroad under title II of said Act,
7 \$1,725,000,000, to remain available until expended.

8 MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION
9 AND CHILD NUTRITION PROGRAM GRANTS

10 For necessary expenses to carry out the provisions
11 of section 3107 of the Farm Security and Rural Invest-
12 ment Act of 2002 (7 U.S.C. 1736o–1), \$220,000,000, to
13 remain available until expended: *Provided*, That the Com-
14 modity Credit Corporation is authorized to provide the
15 services, facilities, and authorities for the purpose of im-
16 plementing such section, subject to reimbursement from
17 amounts provided herein: *Provided further*, That of the
18 amount made available under this heading, not more than
19 10 percent, but not less than \$20,000,000, shall remain
20 available until expended to purchase agricultural commod-
21 ities as described in subsection 3107(a)(2) of the Farm
22 Security and Rural Investment Act of 2002 (7 U.S.C.
23 1736o–1(a)(2)).

1 COMMODITY CREDIT CORPORATION EXPORT (LOANS)
2 CREDIT GUARANTEE PROGRAM ACCOUNT
3 (INCLUDING TRANSFERS OF FUNDS)

4 For administrative expenses to carry out the Com-
5 modity Credit Corporation's Export Guarantee Program,
6 GSM 102 and GSM 103, \$6,381,000, to cover common
7 overhead expenses as permitted by section 11 of the Com-
8 modity Credit Corporation Charter Act and in conformity
9 with the Federal Credit Reform Act of 1990, of which
10 \$6,063,000 shall be transferred to and merged with the
11 appropriation for "Foreign Agricultural Service, Salaries
12 and Expenses", and of which \$318,000 shall be trans-
13 ferred to and merged with the appropriation for "Farm
14 Service Agency, Salaries and Expenses".

1 TITLE VI
2 RELATED AGENCIES AND FOOD AND DRUG
3 ADMINISTRATION
4 DEPARTMENT OF HEALTH AND HUMAN SERVICES
5 FOOD AND DRUG ADMINISTRATION
6 SALARIES AND EXPENSES

7 For necessary expenses of the Food and Drug Ad-
8 ministration, including hire and purchase of passenger
9 motor vehicles; for payment of space rental and related
10 costs pursuant to Public Law 92–313 for programs and
11 activities of the Food and Drug Administration which are
12 included in this Act; for rental of special purpose space
13 in the District of Columbia or elsewhere; in addition to
14 amounts appropriated to the FDA Innovation Account, for
15 carrying out the activities described in section 1002(b)(4)
16 of the 21st Century Cures Act (Public Law 114–255); for
17 miscellaneous and emergency expenses of enforcement ac-
18 tivities, authorized and approved by the Secretary and to
19 be accounted for solely on the Secretary’s certificate, not
20 to exceed \$25,000; and notwithstanding section 521 of
21 Public Law 107–188; \$5,772,442,000: *Provided*, That of
22 the amount provided under this heading, \$1,074,714,000
23 shall be derived from prescription drug user fees author-
24 ized by 21 U.S.C. 379h, and shall be credited to this ac-
25 count and remain available until expended; \$220,142,000

1 shall be derived from medical device user fees authorized
2 by 21 U.S.C. 379j, and shall be credited to this account
3 and remain available until expended; \$513,223,000 shall
4 be derived from human generic drug user fees authorized
5 by 21 U.S.C. 379j–42, and shall be credited to this ac-
6 count and remain available until expended; \$41,923,000
7 shall be derived from biosimilar biological product user
8 fees authorized by 21 U.S.C. 379j–52, and shall be cred-
9 ited to this account and remain available until expended;
10 \$30,611,000 shall be derived from animal drug user fees
11 authorized by 21 U.S.C. 379j–12, and shall be credited
12 to this account and remain available until expended;
13 \$20,151,000 shall be derived from generic new animal
14 drug user fees authorized by 21 U.S.C. 379j–21, and shall
15 be credited to this account and remain available until ex-
16 pended; \$712,000,000 shall be derived from tobacco prod-
17 uct user fees authorized by 21 U.S.C. 387s, and shall be
18 credited to this account and remain available until ex-
19 pended: *Provided further*, That in addition to and notwith-
20 standing any other provision under this heading, amounts
21 collected for prescription drug user fees, medical device
22 user fees, human generic drug user fees, biosimilar biologi-
23 cal product user fees, animal drug user fees, and generic
24 new animal drug user fees that exceed the respective fiscal
25 year 2020 limitations are appropriated and shall be cred-

1 ited to this account and remain available until expended:
2 *Provided further*, That fees derived from prescription drug,
3 medical device, human generic drug, biosimilar biological
4 product, animal drug, and generic new animal drug as-
5 sessments for fiscal year 2020, including any such fees
6 collected prior to fiscal year 2020 but credited for fiscal
7 year 2020, shall be subject to the fiscal year 2020 limita-
8 tions: *Provided further*, That the Secretary may accept
9 payment during fiscal year 2020 of user fees specified
10 under this heading and authorized for fiscal year 2021,
11 prior to the due date for such fees, and that amounts of
12 such fees assessed for fiscal year 2021 for which the Sec-
13 retary accepts payment in fiscal year 2020 shall not be
14 included in amounts under this heading: *Provided further*,
15 That none of these funds shall be used to develop, estab-
16 lish, or operate any program of user fees authorized by
17 31 U.S.C. 9701: *Provided further*, That of the total
18 amount appropriated: (1) \$1,088,881,000 shall be for the
19 Center for Food Safety and Applied Nutrition and related
20 field activities in the Office of Regulatory Affairs, of which
21 no less than \$15,000,000 shall be used for inspections of
22 foreign seafood manufacturers and field examinations of
23 imported seafood; (2) \$1,972,093,000 shall be for the
24 Center for Drug Evaluation and Research and related
25 field activities in the Office of Regulatory Affairs; (3)

1 \$419,302,000 shall be for the Center for Biologics Evalua-
2 tion and Research and for related field activities in the
3 Office of Regulatory Affairs; (4) \$237,741,000 shall be
4 for the Center for Veterinary Medicine and for related
5 field activities in the Office of Regulatory Affairs; (5)
6 \$581,761,000 shall be for the Center for Devices and Ra-
7 diological Health and for related field activities in the Of-
8 fice of Regulatory Affairs; (6) \$66,712,000 shall be for
9 the National Center for Toxicological Research; (7)
10 \$661,739,000 shall be for the Center for Tobacco Prod-
11 ucts and for related field activities in the Office of Regu-
12 latory Affairs; (8) \$186,399,000 shall be for Rent and Re-
13 lated activities, of which \$53,913,000 is for White Oak
14 Consolidation, other than the amounts paid to the General
15 Services Administration for rent; (9) \$239,717,000 shall
16 be for payments to the General Services Administration
17 for rent; and (10) \$318,097,000 shall be for other activi-
18 ties, including the Office of the Commissioner of Food and
19 Drugs, the Office of Foods and Veterinary Medicine, the
20 Office of Medical and Tobacco Products, the Office of
21 Global and Regulatory Policy, the Office of Operations,
22 the Office of the Chief Scientist, and central services for
23 these offices: *Provided further*, That not to exceed \$25,000
24 of this amount shall be for official reception and represen-
25 tation expenses, not otherwise provided for, as determined

1 by the Commissioner: *Provided further*, That any transfer
2 of funds pursuant to section 770(n) of the Federal Food,
3 Drug, and Cosmetic Act (21 U.S.C. 379dd(n)) shall only
4 be from amounts made available under this heading for
5 other activities: *Provided further*, That of the amounts
6 that are made available under this heading for “other ac-
7 tivities”, and that are not derived from user fees,
8 \$1,500,000 shall be transferred to and merged with the
9 appropriation for “Department of Health and Human
10 Services—Office of Inspector General” for oversight of the
11 programs and operations of the Food and Drug Adminis-
12 tration and shall be in addition to funds otherwise made
13 available for oversight of the Food and Drug Administra-
14 tion: *Provided further*, That funds may be transferred
15 from one specified activity to another with the prior ap-
16 proval of the Committees on Appropriations of both
17 Houses of Congress.

18 In addition, mammography user fees authorized by
19 42 U.S.C. 263b, export certification user fees authorized
20 by 21 U.S.C. 381, priority review user fees authorized by
21 21 U.S.C. 360n and 360ff, food and feed recall fees, food
22 reinspection fees, and voluntary qualified importer pro-
23 gram fees authorized by 21 U.S.C. 379j–31, outsourcing
24 facility fees authorized by 21 U.S.C. 379j–62, prescription
25 drug wholesale distributor licensing and inspection fees

1 authorized by 21 U.S.C. 353(e)(3), third-party logistics
2 provider licensing and inspection fees authorized by 21
3 U.S.C. 360eee–3(c)(1), third-party auditor fees authorized
4 by 21 U.S.C. 384d(c)(8), and medical countermeasure pri-
5 ority review voucher user fees authorized by 21 U.S.C.
6 360bbb–4a, and, contingent upon the enactment of the
7 Over-the-Counter Monograph User Fee Act of 2019, fees
8 relating to over-the-counter monograph drugs authorized
9 by part 10 of subchapter C of Chapter VII of the Federal
10 Food, Drug and Cosmetic Act shall be credited to this ac-
11 count, to remain available until expended.

12 BUILDINGS AND FACILITIES

13 For plans, construction, repair, improvement, exten-
14 sion, alteration, demolition, and purchase of fixed equip-
15 ment or facilities of or used by the Food and Drug Admin-
16 istration, where not otherwise provided, \$11,788,000, to
17 remain available until expended.

18 FDA INNOVATION ACCOUNT, CURES ACT

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses to carry out the purposes de-
21 scribed under section 1002(b)(4) of the 21st Century
22 Cures Act, in addition to amounts available for such pur-
23 poses under the heading “Salaries and Expenses”,
24 \$75,000,000, to remain available until expended: *Pro-*
25 *vided*, That amounts appropriated in this paragraph are

1 appropriated pursuant to section 1002(b)(3) of the 21st
2 Century Cures Act, are to be derived from amounts trans-
3 ferred under section 1002(b)(2)(A) of such Act, and may
4 be transferred by the Commissioner of Food and Drugs
5 to the appropriation for “Department of Health and
6 Human Services Food and Drug Administration Salaries
7 and Expenses” solely for the purposes provided in such
8 Act: *Provided further*, That upon a determination by the
9 Commissioner that funds transferred pursuant to the pre-
10 vious proviso are not necessary for the purposes provided,
11 such amounts may be transferred back to the account:
12 *Provided further*, That such transfer authority is in addi-
13 tion to any other transfer authority provided by law.

14 INDEPENDENT AGENCIES

15 COMMODITY FUTURES TRADING COMMISSION

16 For necessary expenses to carry out the provisions
17 of the Commodity Exchange Act (7 U.S.C. 1 et seq.), in-
18 cluding the purchase and hire of passenger motor vehicles,
19 and the rental of space (to include multiple year leases),
20 in the District of Columbia and elsewhere, \$284,000,000,
21 including not to exceed \$3,000 for official reception and
22 representation expenses, and not to exceed \$25,000 for the
23 expenses for consultations and meetings hosted by the
24 Commission with foreign governmental and other regu-
25 latory officials, of which not less than \$20,000,000 shall

1 remain available until September 30, 2021, and of which
2 not less than \$3,200,000 shall be for expenses of the Of-
3 fice of the Inspector General: *Provided*, That notwith-
4 standing the limitations in 31 U.S.C. 1553, amounts pro-
5 vided under this heading are available for the liquidation
6 of obligations equal to current year payments on leases
7 entered into prior to the date of enactment of this Act:
8 *Provided further*, That for the purpose of recording and
9 liquidating any lease obligations that should have been re-
10 corded and liquidated against accounts closed pursuant to
11 31 U.S.C. 1552, and consistent with the preceding pro-
12 viso, such amounts shall be transferred to and recorded
13 in a no-year account in the Treasury, which has been es-
14 tablished for the sole purpose of recording adjustments for
15 and liquidating such unpaid obligations.

16 In addition, for move, replication, and related costs
17 associated with replacement leases for the Commission's
18 facilities, not to exceed \$31,000,000, to remain available
19 until expended.

20 FARM CREDIT ADMINISTRATION

21 LIMITATION ON ADMINISTRATIVE EXPENSES

22 Not to exceed \$77,000,000 (from assessments col-
23 lected from farm credit institutions, including the Federal
24 Agricultural Mortgage Corporation) shall be obligated
25 during the current fiscal year for administrative expenses

1 as authorized under 12 U.S.C. 2249: *Provided*, That this
2 limitation shall not apply to expenses associated with re-
3 ceiverships: *Provided further*, That the agency may exceed
4 this limitation by up to 10 percent with notification to the
5 Committees on Appropriations of both Houses of Con-
6 gress: *Provided further*, That the purposes of section
7 3.7(b)(2)(A)(i) of the Farm Credit Act of 1971 (12 U.S.C.
8 2128(b)(2)(A)(i)), the Farm Credit Administration may
9 exempt, an amount in its sole discretion, from the applica-
10 tion of the limitation provided in that clause of export
11 loans described in the clause guaranteed or insured in a
12 manner other than described in subclause (II) of the
13 clause.

1 TITLE VII

2 GENERAL PROVISIONS

3 (INCLUDING RESCISSIONS AND TRANSFERS OF FUNDS)

4 SEC. 701. The Secretary may use any appropriations
5 made available to the Department of Agriculture in this
6 Act to purchase new passenger motor vehicles, in addition
7 to specific appropriations for this purpose, so long as the
8 total number of vehicles purchased in fiscal year 2020
9 does not exceed the number of vehicles owned or leased
10 in fiscal year 2018: *Provided*, That, prior to purchasing
11 additional motor vehicles, the Secretary must determine
12 that such vehicles are necessary for transportation safety,
13 to reduce operational costs, and for the protection of life,
14 property, and public safety: *Provided further*, That the
15 Secretary may not increase the Department of Agri-
16 culture's fleet above the 2018 level unless the Secretary
17 notifies in writing, and receives approval from, the Com-
18 mittees on Appropriations of both Houses of Congress
19 within 30 days of the notification.

20 SEC. 702. Notwithstanding any other provision of
21 this Act, the Secretary of Agriculture may transfer unobli-
22 gated balances of discretionary funds appropriated by this
23 Act or any other available unobligated discretionary bal-
24 ances that are remaining available of the Department of
25 Agriculture to the Working Capital Fund for the acquisi-

1 tion of plant and capital equipment necessary for the deliv-
2 ery of financial, administrative, and information tech-
3 nology services of primary benefit to the agencies of the
4 Department of Agriculture, such transferred funds to re-
5 main available until expended: *Provided*, That none of the
6 funds made available by this Act or any other Act shall
7 be transferred to the Working Capital Fund without the
8 prior approval of the agency administrator: *Provided fur-*
9 *ther*, That none of the funds transferred to the Working
10 Capital Fund pursuant to this section shall be available
11 for obligation without written notification to and the prior
12 approval of the Committees on Appropriations of both
13 Houses of Congress: *Provided further*, That none of the
14 funds appropriated by this Act or made available to the
15 Department's Working Capital Fund shall be available for
16 obligation or expenditure to make any changes to the De-
17 partment's National Finance Center without written noti-
18 fication to and prior approval of the Committees on Ap-
19 propriations of both Houses of Congress as required by
20 section 716 of this Act: *Provided further*, That none of
21 the funds appropriated by this Act or made available to
22 the Department's Working Capital Fund shall be available
23 for obligation or expenditure to initiate, plan, develop, im-
24 plement, or make any changes to remove or relocate any
25 systems, missions, or functions of the offices of the Chief

1 Financial Officer or any personnel from the National Fi-
2 nance Center prior to written notification to and prior ap-
3 proval of the Committee on Appropriations of both Houses
4 of Congress and in accordance with the requirements of
5 section 716 of this Act: *Provided further*, That the Sec-
6 retary of Agriculture and the offices of the Chief Financial
7 Officer shall actively market to existing and new Depart-
8 ments and other government agencies National Finance
9 Center shared services including, but not limited to, pay-
10 roll, financial management, and human capital shared
11 services and allow the National Finance Center to perform
12 technology upgrades: *Provided further*, That of annual in-
13 come amounts in the Working Capital Fund of the De-
14 partment of Agriculture attributable to the amounts in ex-
15 cess of the true costs of the shared services provided by
16 the National Finance Center and budgeted for the Na-
17 tional Finance Center, the Secretary shall reserve not
18 more than 4 percent for the replacement or acquisition
19 of capital equipment, including equipment for the improve-
20 ment, delivery, and implementation of financial, adminis-
21 trative, and information technology services, and other
22 systems of the National Finance Center or to pay any un-
23 foreseen, extraordinary cost of the National Finance Cen-
24 ter: *Provided further*, That none of the amounts reserved
25 shall be available for obligation unless the Secretary sub-

1 mits written notification of the obligation to the Commit-
2 tees on Appropriations of both Houses of Congress: *Pro-*
3 *vided further*, That the limitations on the obligation of
4 funds pending notification to Congressional Committees
5 shall not apply to any obligation that, as determined by
6 the Secretary, is necessary to respond to a declared state
7 of emergency that significantly impacts the operations of
8 the National Finance Center; or to evacuate employees of
9 the National Finance Center to a safe haven to continue
10 operations of the National Finance Center.

11 SEC. 703. No part of any appropriation contained in
12 this Act shall remain available for obligation beyond the
13 current fiscal year unless expressly so provided herein.

14 SEC. 704. No funds appropriated by this Act may be
15 used to pay negotiated indirect cost rates on cooperative
16 agreements or similar arrangements between the United
17 States Department of Agriculture and nonprofit institu-
18 tions in excess of 10 percent of the total direct cost of
19 the agreement when the purpose of such cooperative ar-
20 rangements is to carry out programs of mutual interest
21 between the two parties. This does not preclude appro-
22 priate payment of indirect costs on grants and contracts
23 with such institutions when such indirect costs are com-
24 puted on a similar basis for all agencies for which appro-
25 priations are provided in this Act.

1 SEC. 705. Appropriations to the Department of Agri-
2 culture for the cost of direct and guaranteed loans made
3 available in the current fiscal year shall remain available
4 until expended to disburse obligations made in the current
5 fiscal year for the following accounts: the Rural Develop-
6 ment Loan Fund program account, the Rural Electrifica-
7 tion and Telecommunication Loans program account, and
8 the Rural Housing Insurance Fund program account.

9 SEC. 706. None of the funds made available to the
10 Department of Agriculture by this Act may be used to ac-
11 quire new information technology systems or significant
12 upgrades, as determined by the Office of the Chief Infor-
13 mation Officer, without the approval of the Chief Informa-
14 tion Officer and the concurrence of the Executive Informa-
15 tion Technology Investment Review Board: *Provided*, That
16 notwithstanding any other provision of law, none of the
17 funds appropriated or otherwise made available by this
18 Act may be transferred to the Office of the Chief Informa-
19 tion Officer without written notification to and the prior
20 approval of the Committees on Appropriations of both
21 Houses of Congress: *Provided further*, That, notwith-
22 standing section 11319 of title 40, United States Code,
23 none of the funds available to the Department of Agri-
24 culture for information technology shall be obligated for
25 projects, contracts, or other agreements over \$25,000

1 prior to receipt of written approval by the Chief Informa-
2 tion Officer: *Provided further*, That the Chief Information
3 Officer may authorize an agency to obligate funds without
4 written approval from the Chief Information Officer for
5 projects, contracts, or other agreements up to \$250,000
6 based upon the performance of an agency measured
7 against the performance plan requirements described in
8 the explanatory statement accompanying Public Law 113–
9 235.

10 SEC. 707. Funds made available under section 524(b)
11 of the Federal Crop Insurance Act (7 U.S.C. 1524(b)) in
12 the current fiscal year shall remain available until ex-
13 pended to disburse obligations made in the current fiscal
14 year.

15 SEC. 708. Notwithstanding any other provision of
16 law, any former RUS borrower that has repaid or prepaid
17 an insured, direct or guaranteed loan under the Rural
18 Electrification Act of 1936, or any not-for-profit utility
19 that is eligible to receive an insured or direct loan under
20 such Act, shall be eligible for assistance under section
21 313B(a) of such Act in the same manner as a borrower
22 under such Act.

23 SEC. 709. (a) Except as otherwise specifically pro-
24 vided by law, not more than \$20,000,000 in unobligated
25 balances from appropriations made available for salaries

1 and expenses in this Act for the Farm Service Agency
2 shall remain available through September 30, 2021, for
3 information technology expenses.

4 (b) Except as otherwise specifically provided by law,
5 not more than \$20,000,000 in unobligated balances from
6 appropriations made available for salaries and expenses in
7 this Act for the Rural Development mission area shall re-
8 main available through September 30, 2021, for informa-
9 tion technology expenses.

10 SEC. 710. None of the funds appropriated or other-
11 wise made available by this Act may be used for first-class
12 travel by the employees of agencies funded by this Act in
13 contravention of sections 301–10.122 through 301–10.124
14 of title 41, Code of Federal Regulations.

15 SEC. 711. In the case of each program established
16 or amended by the Agricultural Act of 2014 (Public Law
17 113–79) or by a successor to that Act, other than by title
18 I or subtitle A of title III of such Act, or programs for
19 which indefinite amounts were provided in that Act, that
20 is authorized or required to be carried out using funds
21 of the Commodity Credit Corporation—

22 (1) such funds shall be available for salaries
23 and related administrative expenses, including tech-
24 nical assistance, associated with the implementation
25 of the program, without regard to the limitation on

1 the total amount of allotments and fund transfers
2 contained in section 11 of the Commodity Credit
3 Corporation Charter Act (15 U.S.C. 714i); and

4 (2) the use of such funds for such purpose shall
5 not be considered to be a fund transfer or allotment
6 for purposes of applying the limitation on the total
7 amount of allotments and fund transfers contained
8 in such section.

9 SEC. 712. Of the funds made available by this Act,
10 not more than \$2,900,000 shall be used to cover necessary
11 expenses of activities related to all advisory committees,
12 panels, commissions, and task forces of the Department
13 of Agriculture, except for panels used to comply with nego-
14 tiated rule makings and panels used to evaluate competi-
15 tively awarded grants.

16 SEC. 713. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

20 (b) Nothing in subsection (a) shall limit the use of
21 funds necessary for any Federal, State, tribal, or local law
22 enforcement agency or any other entity carrying out crimi-
23 nal investigations, prosecution, or adjudication activities.

24 SEC. 714. Notwithstanding subsection (b) of section
25 14222 of Public Law 110–246 (7 U.S.C. 612c–6; in this

1 section referred to as “section 14222”), none of the funds
2 appropriated or otherwise made available by this or any
3 other Act shall be used to pay the salaries and expenses
4 of personnel to carry out a program under section 32 of
5 the Act of August 24, 1935 (7 U.S.C. 612c; in this section
6 referred to as “section 32”) in excess of \$1,331,725,000
7 (exclusive of carryover appropriations from prior fiscal
8 years), as follows: Child Nutrition Programs Entitlement
9 Commodities—\$485,000,000; State Option Contracts—
10 \$5,000,000; Removal of Defective Commodities—
11 \$2,500,000; Administration of Section 32 Commodity
12 Purchases—\$35,853,000: *Provided*, That of the total
13 funds made available in the matter preceding this proviso
14 that remain unobligated on October 1, 2020, such unobli-
15 gated balances shall carryover into fiscal year 2021 and
16 shall remain available until expended for any of the pur-
17 poses of section 32, except that any such carryover funds
18 used in accordance with clause (3) of section 32 may not
19 exceed \$350,000,000 and may not be obligated until the
20 Secretary of Agriculture provides written notification of
21 the expenditures to the Committees on Appropriations of
22 both Houses of Congress at least two weeks in advance:
23 *Provided further*, That, with the exception of any available
24 carryover funds authorized in any prior appropriations Act
25 to be used for the purposes of clause (3) of section 32,

1 none of the funds appropriated or otherwise made avail-
2 able by this or any other Act shall be used to pay the
3 salaries or expenses of any employee of the Department
4 of Agriculture to carry out clause (3) of section 32.

5 SEC. 715. None of the funds appropriated by this or
6 any other Act shall be used to pay the salaries and ex-
7 penses of personnel who prepare or submit appropriations
8 language as part of the President's budget submission to
9 the Congress for programs under the jurisdiction of the
10 Appropriations Subcommittees on Agriculture, Rural De-
11 velopment, Food and Drug Administration, and Related
12 Agencies that assumes revenues or reflects a reduction
13 from the previous year due to user fees proposals that
14 have not been enacted into law prior to the submission
15 of the budget unless such budget submission identifies
16 which additional spending reductions should occur in the
17 event the user fees proposals are not enacted prior to the
18 date of the convening of a committee of conference for
19 the fiscal year 2021 appropriations Act.

20 SEC. 716. (a) None of the funds provided by this Act,
21 or provided by previous appropriations Acts to the agen-
22 cies funded by this Act that remain available for obligation
23 or expenditure in the current fiscal year, or provided from
24 any accounts in the Treasury derived by the collection of
25 fees available to the agencies funded by this Act, shall be

1 available for obligation or expenditure through a re-
2 programming, transfer of funds, or reimbursements as au-
3 thorized by the Economy Act, or in the case of the Depart-
4 ment of Agriculture, through use of the authority provided
5 by section 702(b) of the Department of Agriculture Or-
6 ganic Act of 1944 (7 U.S.C. 2257) or section 8 of Public
7 Law 89–106 (7 U.S.C. 2263), that—

8 (1) creates new programs;

9 (2) eliminates a program, project, or activity;

10 (3) increases funds or personnel by any means
11 for any project or activity for which funds have been
12 denied or restricted;

13 (4) relocates an office or employees;

14 (5) reorganizes offices, programs, or activities;

15 or

16 (6) contracts out or privatizes any functions or
17 activities presently performed by Federal employees;

18 unless the Secretary of Agriculture, the Chairman of the
19 Commodity Futures Trading Commission, or the Sec-
20 retary of Health and Human Services (as the case may
21 be) notifies in writing and receives approval from the Com-
22 mittees on Appropriations of both Houses of Congress at
23 least 30 days in advance of the reprogramming of such
24 funds or the use of such authority.

1 (b) None of the funds provided by this Act, or pro-
2 vided by previous Appropriations Acts to the agencies
3 funded by this Act that remain available for obligation or
4 expenditure in the current fiscal year, or provided from
5 any accounts in the Treasury derived by the collection of
6 fees available to the agencies funded by this Act, shall be
7 available for obligation or expenditure for activities, pro-
8 grams, or projects through a reprogramming or use of the
9 authorities referred to in subsection (a) involving funds
10 in excess of \$500,000 or 10 percent, whichever is less,
11 that—

12 (1) augments existing programs, projects, or ac-
13 tivities;

14 (2) reduces by 10 percent funding for any exist-
15 ing program, project, or activity, or numbers of per-
16 sonnel by 10 percent as approved by Congress; or

17 (3) results from any general savings from a re-
18 duction in personnel which would result in a change
19 in existing programs, activities, or projects as ap-
20 proved by Congress;

21 unless the Secretary of Agriculture, the Chairman of the
22 Commodity Futures Trading Commission, or the Sec-
23 retary of Health and Human Services (as the case may
24 be) notifies in writing and receives approval from the Com-
25 mittees on Appropriations of both Houses of Congress at

1 least 30 days in advance of the reprogramming or transfer
2 of such funds or the use of such authority.

3 (c) The Secretary of Agriculture, the Chairman of the
4 Commodity Futures Trading Commission, or the Sec-
5 retary of Health and Human Services shall notify in writ-
6 ing and receive approval from the Committees on Appro-
7 priations of both Houses of Congress before implementing
8 any program or activity not carried out during the pre-
9 vious fiscal year unless the program or activity is funded
10 by this Act or specifically funded by any other Act.

11 (d) None of the funds provided by this Act, or pro-
12 vided by previous Appropriations Acts to the agencies
13 funded by this Act that remain available for obligation or
14 expenditure in the current fiscal year, or provided from
15 any accounts in the Treasury derived by the collection of
16 fees available to the agencies funded by this Act, shall be
17 available for—

18 (1) modifying major capital investments fund-
19 ing levels, including information technology systems,
20 that involves increasing or decreasing funds in the
21 current fiscal year for the individual investment in
22 excess of \$500,000 or 10 percent of the total cost,
23 whichever is less;

24 (2) realigning or reorganizing new, current, or
25 vacant positions or agency activities or functions to

1 establish a center, office, branch, or similar entity
2 with five or more personnel; or

3 (3) carrying out activities or functions that
4 were not described in the budget request;

5 unless the agencies funded by this Act notify, in writing,
6 the Committees on Appropriations of both Houses of Con-
7 gress at least 30 days in advance of using the funds for
8 these purposes.

9 (e) As described in this section, no funds may be used
10 for any activities unless the Secretary of Agriculture, the
11 Chairman of the Commodity Futures Trading Commis-
12 sion, or the Secretary of Health and Human Services re-
13 ceives from the Committee on Appropriations of both
14 Houses of Congress written or electronic mail confirma-
15 tion of receipt of the notification as required in this sec-
16 tion.

17 SEC. 717. Notwithstanding section 310B(g)(5) of the
18 Consolidated Farm and Rural Development Act (7 U.S.C.
19 1932(g)(5)), the Secretary may assess a one-time fee for
20 any guaranteed business and industry loan in an amount
21 that does not exceed 3 percent of the guaranteed principal
22 portion of the loan.

23 SEC. 718. None of the funds appropriated or other-
24 wise made available to the Department of Agriculture, the
25 Food and Drug Administration, the Commodity Futures

1 Trading Commission, or the Farm Credit Administration
2 shall be used to transmit or otherwise make available re-
3 ports, questions, or responses to questions that are a re-
4 sult of information requested for the appropriations hear-
5 ing process to any non-Department of Agriculture, non-
6 Department of Health and Human Services, non-Com-
7 modity Futures Trading Commission, or non-Farm Credit
8 Administration employee.

9 SEC. 719. Unless otherwise authorized by existing
10 law, none of the funds provided in this Act, may be used
11 by an executive branch agency to produce any pre-
12 packaged news story intended for broadcast or distribution
13 in the United States unless the story includes a clear noti-
14 fication within the text or audio of the prepackaged news
15 story that the prepackaged news story was prepared or
16 funded by that executive branch agency.

17 SEC. 720. No employee of the Department of Agri-
18 culture may be detailed or assigned from an agency or
19 office funded by this Act or any other Act to any other
20 agency or office of the Department for more than 60 days
21 in a fiscal year unless the individual's employing agency
22 or office is fully reimbursed by the receiving agency or
23 office for the salary and expenses of the employee for the
24 period of assignment.

1 SEC. 721. For the purposes of determining eligibility
2 or level of program assistance for Rural Development pro-
3 grams the Secretary shall not include incarcerated prison
4 populations.

5 SEC. 722. Not later than 30 days after the date of
6 enactment of this Act, the Secretary of Agriculture, the
7 Commissioner of the Food and Drug Administration, the
8 Chairman of the Commodity Futures Trading Commis-
9 sion, and the Chairman of the Farm Credit Administra-
10 tion shall submit to the Committees on Appropriations of
11 both Houses of Congress a detailed spending plan by pro-
12 gram, project, and activity for all the funds made available
13 under this Act including appropriated user fees, as defined
14 in the explanatory statement described in section 4 (in the
15 matter preceding division A of this consolidated Act).

16 SEC. 723. Of the unobligated balances from amounts
17 made available for the supplemental nutrition program as
18 authorized by section 17 of the Child Nutrition Act of
19 1966 (42 U.S.C. 1786), \$1,000,000,000 are hereby re-
20 scinded.

21 SEC. 724. The Secretary shall continue an inter-
22 mediary loan packaging program based on the pilot pro-
23 gram in effect for fiscal year 2013 for packaging and re-
24 viewing section 502 single family direct loans. The Sec-
25 retary shall continue agreements with current inter-

1 intermediary organizations and with additional qualified inter-
2 mediary organizations. The Secretary shall work with
3 these organizations to increase effectiveness of the section
4 502 single family direct loan program in rural commu-
5 nities and shall set aside and make available from the na-
6 tional reserve section 502 loans an amount necessary to
7 support the work of such intermediaries and provide a pri-
8 ority for review of such loans.

9 SEC. 725. For loans and loan guarantees that do not
10 require budget authority and the program level has been
11 established in this Act, the Secretary of Agriculture may
12 increase the program level for such loans and loan guaran-
13 tees by not more than 25 percent: *Provided*, That prior
14 to the Secretary implementing such an increase, the Sec-
15 retary notifies, in writing, the Committees on Appropria-
16 tions of both Houses of Congress at least 15 days in ad-
17 vance.

18 SEC. 726. None of the credit card refunds or rebates
19 transferred to the Working Capital Fund pursuant to sec-
20 tion 729 of the Agriculture, Rural Development, Food and
21 Drug Administration, and Related Agencies Appropria-
22 tions Act, 2002 (7 U.S.C. 2235a; Public Law 107–76)
23 shall be available for obligation without written notifica-
24 tion to, and the prior approval of, the Committees on Ap-
25 propriations of both Houses of Congress: *Provided*, That

1 the refunds or rebates so transferred shall be available for
2 obligation only for the acquisition of plant and capital
3 equipment necessary for the delivery of financial, adminis-
4 trative, and information technology services, including
5 cloud adoption and migration, of primary benefit to the
6 agencies of the Department of Agriculture.

7 SEC. 727. None of the funds made available by this
8 Act may be used to implement, administer, or enforce the
9 “variety” requirements of the final rule entitled “Enhanc-
10 ing Retailer Standards in the Supplemental Nutrition As-
11 sistance Program (SNAP)” published by the Department
12 of Agriculture in the Federal Register on December 15,
13 2016 (81 Fed. Reg. 90675) until the Secretary of Agri-
14 culture amends the definition of the term “variety” as de-
15 fined in section 278.1(b)(1)(ii)(C) of title 7, Code of Fed-
16 eral Regulations, and “variety” as applied in the definition
17 of the term “staple food” as defined in section 271.2 of
18 title 7, Code of Federal Regulations, to increase the num-
19 ber of items that qualify as acceptable varieties in each
20 staple food category so that the total number of such items
21 in each staple food category exceeds the number of such
22 items in each staple food category included in the final
23 rule as published on December 15, 2016: *Provided*, That
24 until the Secretary promulgates such regulatory amend-
25 ments, the Secretary shall apply the requirements regard-

1 ing acceptable varieties and breadth of stock to Supple-
2 mental Nutrition Assistance Program retailers that were
3 in effect on the day before the date of the enactment of
4 the Agricultural Act of 2014 (Public Law 113–79).

5 SEC. 728. In carrying out subsection (h) of section
6 502 of the Housing Act of 1949 (42 U.S.C. 1472), the
7 Secretary of Agriculture shall have the same authority
8 with respect to loans guaranteed under such section and
9 eligible lenders for such loans as the Secretary has under
10 subsections (h) and (j) of section 538 of such Act (42
11 U.S.C. 1490p–2) with respect to loans guaranteed under
12 such section 538 and eligible lenders for such loans.

13 SEC. 729. None of the funds made available by this
14 Act may be used to propose, promulgate, or implement
15 any rule, or take any other action with respect to, allowing
16 or requiring information intended for a prescribing health
17 care professional, in the case of a drug or biological prod-
18 uct subject to section 503(b)(1) of the Federal Food,
19 Drug, and Cosmetic Act (21 U.S.C. 353(b)(1)), to be dis-
20 tributed to such professional electronically (in lieu of in
21 paper form) unless and until a Federal law is enacted to
22 allow or require such distribution.

23 SEC. 730. None of the funds made available by this
24 or any other Act may be used to carry out the final rule
25 promulgated by the Food and Drug Administration and

1 put into effect November 16, 2015, in regards to the haz-
2 ard analysis and risk-based preventive control require-
3 ments of the current good manufacturing practice, hazard
4 analysis, and risk-based preventive controls for food for
5 animals rule with respect to the regulation of the produc-
6 tion, distribution, sale, or receipt of dried spent grain by-
7 products of the alcoholic beverage production process.

8 SEC. 731. Funds made available under title II of the
9 Food for Peace Act (7 U.S.C. 1721 et seq.) may only be
10 used to provide assistance to recipient nations if adequate
11 monitoring and controls, as determined by the Adminis-
12 trator, are in place to ensure that emergency food aid is
13 received by the intended beneficiaries in areas affected by
14 food shortages and not diverted for unauthorized or inap-
15 propriate purposes.

16 SEC. 732. There is hereby appropriated \$12,000,000,
17 to remain available until expended, to carry out section
18 6407 of the Farm Security and Rural Investment Act of
19 2002 (7 U.S.C. 8107a): *Provided*, That the Secretary may
20 allow eligible entities, or comparable entities that provide
21 energy efficiency services using their own billing mecha-
22 nism to offer loans to customers in any part of their serv-
23 ice territory and to offer loans to replace a manufactured
24 housing unit with another manufactured housing unit, if
25 replacement would be more cost effective in saving energy.

1 SEC. 733. (a) The Secretary of Agriculture shall—

2 (1) conduct audits in a manner that evaluates
3 the following factors in the country or region being
4 audited, as applicable—

5 (A) veterinary control and oversight;

6 (B) disease history and vaccination prac-
7 tices;

8 (C) livestock demographics and
9 traceability;

10 (D) epidemiological separation from poten-
11 tial sources of infection;

12 (E) surveillance practices;

13 (F) diagnostic laboratory capabilities; and

14 (G) emergency preparedness and response;

15 and

16 (2) promptly make publicly available the final
17 reports of any audits or reviews conducted pursuant
18 to subsection (1).

19 (b) This section shall be applied in a manner con-
20 sistent with United States obligations under its inter-
21 national trade agreements.

22 SEC. 734. No food that bears or contains partially
23 hydrogenated oils (as defined in the order published by
24 the Food and Drug Administration in the Federal Reg-
25 ister on June 17, 2015 (80 Fed. Reg. 34650 et seq.)) shall

1 be considered to be adulterated within the meaning of sub-
2 section (a)(1) or (a)(2)(C)(i) of section 402 of the Federal
3 Food, Drug, and Cosmetic Act (21 U.S.C. 342(a)) because
4 such food contains such partially hydrogenated oils until
5 the applicable compliance dates specified by FDA in the
6 Federal Register on May 21, 2018 (83 Fed. Reg. 23358
7 et seq.).

8 SEC. 735. None of the funds made available by this
9 Act may be used to carry out any activities or incur any
10 expense related to the issuance of licenses under section
11 3 of the Animal Welfare Act (7 U.S.C. 2133), or the re-
12 newal of such licenses, to class B dealers who sell dogs
13 and cats for use in research, experiments, teaching, or
14 testing.

15 SEC. 736. (a)(1) No Federal funds made available for
16 this fiscal year for the rural water, waste water, waste dis-
17 posal, and solid waste management programs authorized
18 by sections 306, 306A, 306C, 306D, 306E, and 310B of
19 the Consolidated Farm and Rural Development Act (7
20 U.S.C. 1926 et seq.) shall be used for a project for the
21 construction, alteration, maintenance, or repair of a public
22 water or wastewater system unless all of the iron and steel
23 products used in the project are produced in the United
24 States.

1 (2) In this section, the term “iron and steel products”
2 means the following products made primarily of iron or
3 steel: lined or unlined pipes and fittings, manhole covers
4 and other municipal castings, hydrants, tanks, flanges,
5 pipe clamps and restraints, valves, structural steel, rein-
6 forced precast concrete, and construction materials.

7 (b) Subsection (a) shall not apply in any case or cat-
8 egory of cases in which the Secretary of Agriculture (in
9 this section referred to as the “Secretary”) or the designee
10 of the Secretary finds that—

11 (1) applying subsection (a) would be incon-
12 sistent with the public interest;

13 (2) iron and steel products are not produced in
14 the United States in sufficient and reasonably avail-
15 able quantities or of a satisfactory quality; or

16 (3) inclusion of iron and steel products pro-
17 duced in the United States will increase the cost of
18 the overall project by more than 25 percent.

19 (c) If the Secretary or the designee receives a request
20 for a waiver under this section, the Secretary or the des-
21 ignee shall make available to the public on an informal
22 basis a copy of the request and information available to
23 the Secretary or the designee concerning the request, and
24 shall allow for informal public input on the request for
25 at least 15 days prior to making a finding based on the

1 request. The Secretary or the designee shall make the re-
2 quest and accompanying information available by elec-
3 tronic means, including on the official public Internet Web
4 site of the Department.

5 (d) This section shall be applied in a manner con-
6 sistent with United States obligations under international
7 agreements.

8 (e) The Secretary may retain up to 0.25 percent of
9 the funds appropriated in this Act for “Rural Utilities
10 Service—Rural Water and Waste Disposal Program Ac-
11 count” for carrying out the provisions described in sub-
12 section (a)(1) for management and oversight of the re-
13 quirements of this section.

14 (f) Subsection (a) shall not apply with respect to a
15 project for which the engineering plans and specifications
16 include use of iron and steel products otherwise prohibited
17 by such subsection if the plans and specifications have re-
18 ceived required approvals from State agencies prior to the
19 date of enactment of this Act.

20 (g) For purposes of this section, the terms “United
21 States” and “State” shall include each of the several
22 States, the District of Columbia, and each federally recog-
23 nized Indian tribe.

24 SEC. 737. None of the funds appropriated by this Act
25 may be used in any way, directly or indirectly, to influence

1 congressional action on any legislation or appropriation
2 matters pending before Congress, other than to commu-
3 nicate to Members of Congress as described in 18 U.S.C.
4 1913.

5 SEC. 738. None of the funds made available by this
6 Act may be used to procure raw or processed poultry prod-
7 ucts imported into the United States from the People's
8 Republic of China for use in the school lunch program
9 under the Richard B. Russell National School Lunch Act
10 (42 U.S.C. 1751 et seq.), the Child and Adult Care Food
11 Program under section 17 of such Act (42 U.S.C. 1766),
12 the Summer Food Service Program for Children under
13 section 13 of such Act (42 U.S.C. 1761), or the school
14 breakfast program under the Child Nutrition Act of 1966
15 (42 U.S.C. 1771 et seq.).

16 SEC. 739. None of the funds made available by this
17 Act may be used to pay the salaries or expenses of per-
18 sonnel—

19 (1) to inspect horses under section 3 of the
20 Federal Meat Inspection Act (21 U.S.C. 603);

21 (2) to inspect horses under section 903 of the
22 Federal Agriculture Improvement and Reform Act of
23 1996 (7 U.S.C. 1901 note; Public Law 104–127); or

1 (3) to implement or enforce section 352.19 of
2 title 9, Code of Federal Regulations (or a successor
3 regulation).

4 SEC. 740. Of the total amounts made available by
5 this Act for direct loans and grants in section 732 and
6 in the following headings: “Rural Housing Service—Rural
7 Housing Insurance Fund Program Account”; “Rural
8 Housing Service—Mutual and Self-Help Housing
9 Grants”; “Rural Housing Service—Rural Housing Assist-
10 ance Grants”; “Rural Housing Service—Rural Commu-
11 nity Facilities Program Account”; “Rural Business-Coop-
12 erative Service—Rural Business Program Account”;
13 “Rural Business-Cooperative Service—Rural Economic
14 Development Loans Program Account”; “Rural Business-
15 Cooperative Service—Rural Cooperative Development
16 Grants”; “Rural Utilities Service—Rural Water and
17 Waste Disposal Program Account”; “Rural Utilities Serv-
18 ice—Rural Electrification and Telecommunications Loans
19 Program Account”; and “Rural Utilities Service—Dis-
20 tance Learning, Telemedicine, and Broadband Program”,
21 to the maximum extent feasible, at least 10 percent of the
22 funds shall be allocated for assistance in persistent poverty
23 counties under this section, including, notwithstanding
24 any other provision regarding population limits, any coun-
25 ty seat of such a persistent poverty county that has a pop-

1 ulation that does not exceed the authorized population
2 limit by more than 10 percent: *Provided*, That for pur-
3 poses of this section, the term “persistent poverty coun-
4 ties” means any county that has had 20 percent or more
5 of its population living in poverty over the past 30 years,
6 as measured by the 1990 and 2000 decennial censuses,
7 and 2007–2011 American Community Survey 5-year aver-
8 age, or any territory or possession of the United States:
9 *Provided further*, That with respect to specific activities
10 for which program levels have been made available by this
11 Act that are not supported by budget authority, the re-
12 quirements of this section shall be applied to such program
13 level.

14 SEC. 741. (a) No funds shall be used to finalize the
15 proposed rule entitled “Eligibility of the People’s Republic
16 of China (PRC) to Export to the United States Poultry
17 Products from Birds Slaughtered in the PRC” published
18 in the Federal Register by the Department of Agriculture
19 on June 16, 2017 (82 Fed. Reg. 27625), unless the Sec-
20 retary of Agriculture shall—

21 (1) ensure that the poultry slaughter inspection
22 system for the PRC is equivalent to that of the
23 United States;

24 (2) ensure that, before any poultry products
25 can enter the United States from any such poultry

1 plant, such poultry products comply with all other
2 applicable requirements for poultry products in
3 interstate commerce in the United States;

4 (3) conduct periodic verification reviews and au-
5 dits of any such plants in the PRC intending to ex-
6 port into the United States processed poultry prod-
7 ucts;

8 (4) conduct re-inspection of such poultry prod-
9 ucts at United States ports-of-entry to check the
10 general condition of such products, for the proper
11 certification and labeling of such products, and for
12 any damage to such products that may have oc-
13 curred during transportation; and

14 (5) ensure that shipments of any such poultry
15 products selected to enter the United States are sub-
16 ject to additional re-inspection procedures at appro-
17 priate levels to verify that the products comply with
18 relevant Federal regulations or standards, including
19 examinations for product defects and laboratory
20 analyses to detect harmful chemical residues or
21 pathogen testing appropriate for the products in-
22 volved.

23 (b) This section shall be applied in a manner con-
24 sistent with obligations of the United States under any
25 trade agreement to which the United States is a party.

1 SEC. 742. In addition to any other funds made avail-
2 able in this Act or any other Act, there is appropriated
3 \$9,000,000 to carry out section 18(g)(8) of the Richard
4 B. Russell National School Lunch Act (42 U.S.C.
5 1769(g)), to remain available until expended.

6 SEC. 743. There is hereby appropriated \$5,000,000,
7 to remain available until September 30, 2021, for the cost
8 of loans and grants that is consistent with section 4206
9 of the Agricultural Act of 2014, for necessary expenses
10 of the Secretary to support projects that provide access
11 to healthy food in underserved areas, to create and pre-
12 serve quality jobs, and to revitalize low-income commu-
13 nities.

14 SEC. 744. For an additional amount for “Animal and
15 Plant Health Inspection Service—Salaries and Expenses”,
16 \$8,500,000, to remain available until September 30, 2021,
17 for one-time control and management and associated ac-
18 tivities directly related to the multiple-agency response to
19 citrus greening.

20 SEC. 745. None of the funds made available by this
21 Act may be used to notify a sponsor or otherwise acknowl-
22 edge receipt of a submission for an exemption for inves-
23 tigational use of a drug or biological product under section
24 505(i) of the Federal Food, Drug, and Cosmetic Act (21
25 U.S.C. 355(i)) or section 351(a)(3) of the Public Health

1 Service Act (42 U.S.C. 262(a)(3)) in research in which
2 a human embryo is intentionally created or modified to
3 include a heritable genetic modification. Any such submis-
4 sion shall be deemed to have not been received by the Sec-
5 retary, and the exemption may not go into effect.

6 SEC. 746. None of the funds made available by this
7 or any other Act may be used to enforce the final rule
8 promulgated by the Food and Drug Administration enti-
9 tled “Standards for the Growing, Harvesting, Packing,
10 and Holding of Produce for Human Consumption,” and
11 published on November 27, 2015, with respect to the regu-
12 lation of entities that grow, harvest, pack, or hold wine
13 grapes, hops, pulse crops, or almonds.

14 SEC. 747. For school year 2020–2021, only a school
15 food authority that had a negative balance in the nonprofit
16 school food service account as of December 31, 2019, shall
17 be required to establish a price for paid lunches in accord-
18 ance with Section 12(p) of the Richard B. Russell Na-
19 tional School Lunch Act, 42 U.S.C. 1760(p).

20 SEC. 748. There is hereby appropriated \$5,000,000,
21 to remain available until September 30, 2021, for a pilot
22 program for the National Institute of Food and Agri-
23 culture to provide grants to nonprofit organizations for
24 programs and services to establish and enhance farming
25 and ranching opportunities for military veterans.

1 SEC. 749. For school years 2019–2020 and 2020–
2 2021, none of the funds made available by this Act may
3 be used to implement or enforce the matter following the
4 first comma in the second sentence of footnote (c) of sec-
5 tion 220.8(c) of title 7, Code of Federal Regulations, with
6 respect to the substitution of vegetables for fruits under
7 the school breakfast program established under section 4
8 of the Child Nutrition Act of 1966 (42 U.S.C. 1773).

9 SEC. 750. None of the funds made available by this
10 Act or any other Act may be used—

11 (1) in contravention of section 7606 of the Ag-
12 ricultural Act of 2014 (7 U.S.C. 5940), subtitle G
13 of the Agricultural Marketing Act of 1946, or sec-
14 tion 10114 of the Agriculture Improvement Act of
15 2018; or

16 (2) to prohibit the transportation, processing,
17 sale, or use of hemp, or seeds of such plant, that is
18 grown or cultivated in accordance with subsection
19 section 7606 of the Agricultural Act of 2014 or Sub-
20 title G of the Agricultural Marketing Act of 1946,
21 within or outside the State in which the hemp is
22 grown or cultivated.

23 SEC. 751. Out of amounts appropriated to the Food
24 and Drug Administration under title VI, the Secretary of
25 Health and Human Services, acting through the Commis-

1 sioner of Food and Drugs, shall, not later than July 1,
2 2020, and following the review required under Executive
3 Order No. 12866 (5 U.S.C. 601 note; relating to regu-
4 latory planning and review), issue advice revising the ad-
5 vice provided in the notice of availability entitled “Advice
6 About Eating Fish, From the Environmental Protection
7 Agency and Food and Drug Administration; Revised Fish
8 Advice; Availability” (82 Fed. Reg. 6571 (January 19,
9 2017)), in a manner that is consistent with nutrition
10 science recognized by the Food and Drug Administration
11 on the net effects of seafood consumption.

12 SEC. 752. In addition to any funds made available
13 in this Act or any other Act, there is hereby appropriated
14 \$6,000,000, to remain available until September 30, 2021,
15 for grants from the National Institute of Food and Agri-
16 culture to the 1890 Institutions to support the Centers
17 of Excellence.

18 SEC. 753. There is hereby appropriated \$1,000,000
19 for the Secretary of Agriculture to carry out a pilot pro-
20 gram that assists rural hospitals to improve long-term op-
21 erations and financial health by providing technical assist-
22 ance through analysis of current hospital management
23 practices.

1 SEC. 754. There is hereby appropriated \$2,000,000,
2 to remain available until expended, for grants under sec-
3 tion 12502 of Public Law 115–334.

4 SEC. 755. There is hereby appropriated \$2,000,000
5 to carry out section 1621 of Public Law 110–246.

6 SEC. 756. Not later than 180 days after the date of
7 the enactment of this Act, the Secretary of Agriculture
8 shall issue a final rule based on the proposed rule entitled
9 “National Organic Program; Origin of Livestock,” pub-
10 lished in the *Federal Register* on April 28, 2015 (80 Fed.
11 Reg. 23455): *Provided*, That the final rule shall incor-
12 porate public comments submitted in response to the pro-
13 posed rule.

14 SEC. 757. There is hereby appropriated \$3,000,000,
15 to remain available until September 30, 2021, to carry out
16 section 4003(b) of Public Law 115–334 relating to dem-
17 onstration projects for Tribal Organizations.

18 SEC. 758. There is hereby appropriated \$1,000,000
19 for the Secretary to carry out a pilot program that pro-
20 vides forestry inventory analysis, forest management and
21 economic outcomes modelling for certain currently en-
22 rolled Conservation Reserve Program participants. The
23 Secretary shall allow the Commodity Credit Corporation
24 to enter into agreements with and provide grants to quali-
25 fied non-profit organizations dedicated to conservation,

1 forestry and wildlife habitats, that also have experience in
2 conducting accurate forest inventory analysis through the
3 use of advanced, cost-effective technology. The Secretary
4 shall focus the analysis on lands enrolled for at least eight
5 years and located in areas with a substantial concentration
6 of acres enrolled under conservation practices devoted to
7 multiple bottomland hardwood tree species including
8 CP03, CP03A, CP11, CP22, CP31 and CP40.

9 SEC. 759. In addition to amounts otherwise made
10 available by this Act and notwithstanding the last sentence
11 of 16 U.S.C. 1310, there is appropriated \$4,000,000, to
12 remain available until expended, to implement non-renew-
13 able agreements on eligible lands, including flooded agri-
14 cultural lands, as determined by the Secretary, under the
15 Water Bank Act (16 U.S.C. 1301–1311).

16 SEC. 760. The Secretary shall set aside for Rural
17 Economic Area Partnership (REAP) Zones, until August
18 15, 2020, an amount of funds made available in title III
19 under the headings of Rural Housing Insurance Fund
20 Program Account, Mutual and Self-Help Housing Grants,
21 Rural Housing Assistance Grants, Rural Community Fa-
22 cilities Program Account, Rural Business Program Ac-
23 count, Rural Development Loan Fund Program Account,
24 and Rural Water and Waste Disposal Program Account,
25 equal to the amount obligated in REAP Zones with re-

1 spect to funds provided under such headings in the most
2 recent fiscal year any such funds were obligated under
3 such headings for REAP Zones.

4 SEC. 761. There is hereby appropriated \$1,000,000
5 to carry out section 3307 of Public Law 115–334.

6 SEC. 762. The Secretary of Agriculture may waive
7 the matching funds requirement under Section 412(g) of
8 the Agricultural Research, Extension, and Education Re-
9 form Act of 1998 (7 U.S.C. 7632(g)).

10 SEC. 763. There is hereby appropriated \$5,000,000,
11 to remain available until September 30, 2021, to carry out
12 section 23 of the Child Nutrition Act of 1966 (42 U.S.C.
13 1793), of which \$1,000,000 shall be for grants under such
14 section to the Commonwealth of Puerto Rico, the Com-
15 monwealth of the Northern Mariana Islands, the United
16 States Virgin Islands, Guam, and American Samoa.

17 SEC. 764. There is hereby appropriated \$1,000,000,
18 to remain available until expended, for a pilot program
19 for the Secretary to provide grants to qualified non-profit
20 organizations and public housing authorities to provide
21 technical assistance, including financial and legal services,
22 to RHS multi-family housing borrowers to facilitate the
23 acquisition of RHS multi-family housing properties in
24 areas where the Secretary determines a risk of loss of af-
25 fordable housing, by non-profit housing organizations and

1 public housing authorities as authorized by law that com-
2 mit to keep such properties in the RHS multi-family hous-
3 ing program for a period of time as determined by the
4 Secretary.

5 SEC. 765. Section 2 of the Rural Electrification Act
6 of 1936 (7 U.S.C. 902) is amended in subsection (a) by
7 striking “made by the Secretary” and inserting “made or
8 guaranteed by the Secretary”.

9 SEC. 766. The National Bio and Agro-Defense Facil-
10 ity shall be transferred without reimbursement from the
11 Secretary of Homeland Security to the Secretary of Agri-
12 culture.

13 SEC. 767. Any funds made available by this or any
14 other Act that the Secretary withholds pursuant to section
15 1668(g)(2) of the Food, Agriculture, Conservation, and
16 Trade Act of 1990 (7 U.S.C. 5921(g)(2)), as amended,
17 shall be available for grants for biotechnology risk assess-
18 ment research: *Provided*, That the Secretary may transfer
19 such funds to appropriations of the Department of Agri-
20 culture.

21 SEC. 768. There is hereby appropriated \$5,000,000
22 to carry out section 222 of Subtitle A of the Department
23 of Agriculture Reorganization Act of 1994 (7 U.S.C.
24 6923) as amended by section 12302 of Public Law 115–
25 334.

1 SEC. 769. There is hereby appropriated \$400,000 to
2 carry out section 224 of Subtitle A of the Department of
3 Agriculture Reorganization Act of 1994 (7 U.S.C. 6924)
4 as amended by section 12504 of Public Law 115–334.

5 SEC. 770. There is hereby appropriated \$1,000,000,
6 to remain available until September 30, 2021, to carry out
7 section 4208 of Public Law 115–334.

8 SEC. 771. There is hereby appropriated \$400,000 to
9 carry out section 1672(g)(4)(B) of the Food, Agriculture,
10 Conservation, and Trade Act of 1990 (7 U.S.C.
11 5925(g)(4(B))) as amended by section 7209 of Public Law
12 115–334.

13 SEC. 772. There is hereby appropriated \$5,000,000
14 to carry out section 12301 of Public Law 115–334.

15 SEC. 773. There is hereby appropriated \$5,000,000
16 to carry out section 1450 of the National Agricultural Re-
17 search, Extension, and Teaching Policy Act of 1977 (7
18 U.S.C. 3222e) as amended by section 7120 of Public Law
19 115–334.

20 SEC. 774. There is hereby appropriated \$1,000,000
21 to carry out section 1671 of the Food, Agriculture, Con-
22 servation, and Trade Act of 1990 (7 U.S.C. 5924) as
23 amended by section 7208 of Public Law 115–334.

24 SEC. 775. In response to an eligible community where
25 the drinking water supplies are inadequate due to a nat-

1 ural disaster, as determined by the Secretary, including
2 drought or severe weather, the Secretary may provide po-
3 table water through the Emergency Community Water As-
4 sistance Grant Program for an additional period of time
5 not to exceed 120 days beyond the established period pro-
6 vided under the Program in order to protect public health.

7 SEC. 776. There is hereby appropriated \$6,000,000
8 for the purposes described in the paragraph entitled “Nu-
9 trition Assistance Program (NAP) Study” under the Sup-
10 plemental Nutrition Assistance Program included in
11 House Report 116–107, of which \$4,000,000 shall be for
12 the Secretary to update the Feasibility Report, and of
13 which \$2,000,000 shall be for Puerto Rico for technology
14 requirements: *Provided*, That the reports detailed in
15 House Report 116-107 shall be due not later than Decem-
16 ber 31, 2020.

17 SEC. 777. There is hereby appropriated \$5,000,000
18 to remain available until September 30, 2021, to carry out
19 section 4206 of Public Law 115–334.

20 SEC. 778. There is hereby appropriated \$20,000,000,
21 to remain available until expended, to carry out section
22 12513 of Public Law 115–334: *Provided*, That the Sec-
23 retary shall take measures to ensure an equal distribution
24 of funds between the three regional innovation initiatives.

1 SEC. 779. There is hereby appropriated \$5,000,000,
2 to remain available until September 30, 2021, to carry out
3 section 2103 of Public Law 115–334.

4 SEC. 780. There is hereby appropriated \$20,000,000,
5 for an additional amount for “Department of Health and
6 Human Services—Food and Drug Administration—
7 Buildings and Facilities” to remain available until ex-
8 pended and in addition to amounts otherwise made avail-
9 able for such purposes, for necessary expenses of plans,
10 construction, repair, improvement, extension, alteration,
11 demolition and purchase of fixed equipment or facilities
12 of or used by FDA for seafood safety.

13 SEC. 781. There is hereby appropriated \$5,000,000
14 to remain available until September 30, 2021, to carry out
15 section 6424 of Public Law 115–334.

16 SEC. 782. Of the unobligated balances from amounts
17 made available to carry out section 749 of Division A of
18 Public Law 115–31 and section 739 of Division A of Pub-
19 lic Law 115–141, \$15,073,000 are rescinded.

20 SEC. 783. In addition to amounts otherwise made
21 available by this or any other Act, there is hereby appro-
22 priated \$5,000,000, to remain available until expended, to
23 the Secretary for a pilot program to provide grants to a
24 regional consortium to fund technical assistance and con-
25 struction of regional wastewater systems for historically

1 impoverished communities that have had difficulty in in-
2 stalling traditional wastewater treatment systems due to
3 soil conditions.

4 SEC. 784. Section 9(i)(2) of the Food and Nutrition
5 Act of 2008 (7 U.S.C. 2018(i)(2)) is amended by striking
6 “for a period” and all that follows through “2018” and
7 inserting “prior to December 31, 2020”.

8 SEC. 785. Not later than 60 days after enactment
9 of this Act, the Commissioner of the Food and Drug Ad-
10 ministration shall issue a request for information to deter-
11 mine the next steps that will address the recent pulmonary
12 illnesses reported to be associated with the use of e-ciga-
13 rettes and vaping products. As part of such request for
14 information, the Commissioner shall request public com-
15 ment on product design and how to prevent consumers
16 from modifying or adding any substances to these prod-
17 ucts that are not intended by the manufacturer: *Provided*,
18 That the Food and Drug Administration shall provide an
19 update to the Committee on Appropriations on a quarterly
20 basis.

21 SEC. 786. (a) In the matter preceding the first pro-
22 viso under the heading “Supplemental Nutrition Assist-
23 ance Program” in the Consolidated Appropriations Act,
24 2018 (Public Law 115–141), strike “December 31, 2019”
25 and insert “September 30, 2020”.

1 (b) In the matter preceding the first proviso under
2 the heading “Supplemental Nutrition Assistance Pro-
3 gram” in the Consolidated Appropriations Act, 2019
4 (Public Law 116–6), strike “December 31, 2020” and in-
5 sert “September 30, 2021”.

6 SEC. 787. (a) There is hereby appropriated
7 \$300,000,000, to remain available until expended, for an
8 additional amount for section 779 of Public Law 115–141.

9 (b) Section 313(b) of the Rural Electrification Act
10 of 1936, as amended (7 U.S.C. 940c(b)), shall be applied
11 for fiscal year 2020 and each fiscal year thereafter until
12 the specified funding has been expended as if the following
13 were inserted after the final period in subsection (b)(2):
14 “In addition, the Secretary shall use \$425,000,000 of
15 funds available in this subaccount in fiscal year 2019 for
16 an additional amount for the same purpose and under the
17 same terms and conditions as funds appropriated by sec-
18 tion 779 of Public Law 115–141 and shall use
19 \$255,000,000 of funds available in this subaccount in fis-
20 cal year 2020 for an additional amount for the same pur-
21 pose and under the same terms and conditions as funds
22 appropriated by section 779 of Public Law 115–141: *Pro-*
23 *vided*, That any use of such funds shall be treated as a
24 reprogramming of funds under section 716 of this Act.”.

1 (c) Section 762(b) of division B of Public Law 116–
2 6 shall no longer apply.

3 SEC. 788. The Animal and Plant Health Inspection
4 Service shall, notwithstanding any other provision of law:

5 (a) within 60 calendar days, restore on its website
6 the searchable database and its contents that were avail-
7 able on January 30, 2017, and all content generated since
8 that date; and

9 (b) hereafter, make publicly available via searchable
10 database, in their entirety without redactions except signa-
11 tures, the following records after enactment of this Act
12 for a subsequent period of three years:

13 (1) all final Animal Welfare Act inspection re-
14 ports, including all reports documenting all Animal
15 Welfare Act non-compliances observed by USDA of-
16 ficials and all animal inventories;

17 (2) all final Animal Welfare Act and Horse
18 Protection Act enforcement records;

19 (3) all reports or other materials documenting
20 any non-compliances observed by USDA officials;
21 and

22 (4) within six months of receipt by the agency,
23 all final Animal Welfare Act research facility annual
24 reports, including their attachments with appro-
25 priate redactions made for confidential business in-

1 formation that USDA could withhold under FOIA
2 Exemption 4.

3 SEC. 789. Notwithstanding any other provision of
4 law, no funds available to the Department of Agriculture
5 may be used to move any agency from the mission area
6 in which it was located on August 1, 2018, to any other
7 mission area or office within the Department in the ab-
8 sence of the enactment of specific legislation affirming
9 such move.

10 SEC. 790. Notwithstanding any other provision of
11 law, the acceptable market name of any engineered animal
12 approved prior to the effective date of the National Bio-
13 engineered Food Disclosure Standard (February 19,
14 2019) shall include the words “genetically engineered”
15 prior to the existing acceptable market name.

16 SEC. 791. (a) The remaining unobligated balances of
17 funds made available under the heading “Department of
18 Agriculture—Agricultural Programs—Processing, Re-
19 search and Marketing—Office of the Secretary” in the Bi-
20 partisan Budget Act of 2018 (Public Law 115–123) are
21 hereby rescinded: *Provided*, That the amounts rescinded
22 pursuant to this subsection that were previously des-
23 ignated by the Congress as an emergency requirement
24 pursuant to section 251(b)(2)(A)(i) of the Balanced Budg-
25 et and Emergency Deficit Control Act of 1985 are des-

1 ignated by the Congress as an emergency requirement
2 pursuant to that section of that Act.

3 (b) In addition to amounts otherwise made available
4 by this Act for “Department of Agriculture—Agricultural
5 Programs—Processing, Research and Marketing—Office
6 of the Secretary”, there is appropriated for an additional
7 amount for fiscal year 2020, to remain available until De-
8 cember 30, 2021, an amount equal to the unobligated bal-
9 ances rescinded pursuant to subsection (a), for the same
10 purposes and under the same authorities and conditions
11 as the funds made available under the heading “Depart-
12 ment of Agriculture—Agricultural Programs—Processing,
13 Research and Marketing—Office of the Secretary” in the
14 Additional Supplemental Appropriations for Disaster Re-
15 lief Act of 2019 (Public Law 116–20), as amended by this
16 section: *Provided*, That, in addition to the purposes speci-
17 fied in the matter preceding the first proviso under the
18 heading “Department of Agriculture—Agricultural Pro-
19 grams—Processing, Research and Marketing—Office of
20 the Secretary” in the Additional Supplemental Appropria-
21 tions for Disaster Relief Act of 2019 (Public Law 116–
22 20), as amended by this section, such amounts shall also
23 be available for quality losses of crops, drought, and exces-
24 sive moisture: *Provided further*, That losses due to drought
25 shall only be eligible under this subsection if any area

1 within the county in which the loss occurs was rated by
2 the U.S. Drought Monitor as having a D3 (Extreme
3 Drought) or higher level of drought intensity during the
4 applicable calendar years: *Provided further*, That the Sec-
5 retary may use the amounts provided under this sub-
6 section, under the same authorities and conditions as the
7 funds made available under the heading “Department of
8 Agriculture—Agricultural Programs—Processing, Re-
9 search and Marketing—Office of the Secretary” in the Bi-
10 partisan Budget Act of 2018 (Public Law 115–123), to
11 continue to pay for losses due to Tropical Storm Cindy,
12 and peaches and blueberries due to freeze in 2017 and
13 blueberry productivity losses in 2018: *Provided further*,
14 That the Secretary shall use the amounts provided under
15 this subsection, under the same authorities and conditions
16 as the funds made available under the heading “Depart-
17 ment of Agriculture—Agricultural Programs—Processing,
18 Research and Marketing—Office of the Secretary” in the
19 Bipartisan Budget Act of 2018 (Public Law 115–123),
20 to make payments for vine losses that were eligible for,
21 but did not receive, payments under that heading in that
22 Act: *Provided further*, That such amount is designated by
23 the Congress as being for an emergency requirement pur-
24 suant to section 251(b)(2)(A)(i) of the Balanced Budget
25 and Emergency Deficit Control Act of 1985.

1 (c) Title I of the Additional Supplemental Appropria-
2 tions for Disaster Relief Act, 2019 (Public Law 116–20),
3 as amended by section 116 of the Continuing Appropria-
4 tions Act, 2020 (Public Law 116–59), is further amended
5 in the first proviso under the heading “Department of Ag-
6 riculture—Agricultural Programs—Processing, Research
7 and Marketing—Office of the Secretary” by striking “may
8 provide” and inserting “, in addition to the amount an-
9 nounced on November 8, 2019, shall provide not less than
10 \$400,000,000 in” , and by adding the following before the
11 final proviso under that heading: “*Provided further*, That
12 the Secretary shall pay all sugar beet losses in 2018 and
13 2019 through cooperative processors (to be paid to pro-
14 ducer members as determined by such processors) using
15 the additional coverage level described in section
16 508(e)(2)(E) of the Federal Crop Insurance Act of 1938
17 (7 U.S.C. 1508(e)(2)(E)) for purposes of determining the
18 Wildfire Hurricane Indemnity Program Plus factor (as de-
19 fined in section 760.1502 of title 7, Code of Federal Regu-
20 lations (or successor regulations):” : *Provided*, That
21 amounts repurposed pursuant to this subsection that were
22 previously designated by the Congress as an emergency
23 requirement pursuant to the Balanced Budget and Emer-
24 gency Deficit Control Act of 1985 are designated by the
25 Congress as an emergency requirement pursuant to sec-

1 tion 251(b)(2)(A)(i) of the Balanced Budget and Emer-
2 gency Deficit Control Act of 1985.

3 (d) No later than December 31, 2020, the remaining
4 unobligated balances of funds made available under the
5 heading “Department of Agriculture—Agricultural Pro-
6 grams—Processing, Research and Marketing—Office of
7 the Secretary” in the Additional Supplemental Appropria-
8 tions for Disaster Relief Act of 2019 (Public Law 116–
9 20) are hereby permanently rescinded, and an amount of
10 additional new budget authority equivalent to the amount
11 rescinded is hereby appropriated, to remain available until
12 December 30, 2021, in addition to other funds as may
13 be available for such purposes, for the same purposes and
14 under the same authorities and conditions as the funds
15 made available in subsection (b): *Provided*, That the
16 amounts rescinded pursuant to this subsection that were
17 previously designated by the Congress as an emergency
18 requirement pursuant to section 251(b)(2)(A)(i) of the
19 Balanced Budget and Emergency Deficit Control Act of
20 1985 are designated by the Congress as an emergency re-
21 quirement pursuant to that section of that Act: *Provided*
22 *further*, That the amount of additional new budget author-
23 ity made available pursuant to this subsection is des-
24 ignated by the Congress as being for an emergency re-

1 requirement pursuant to section 251(b)(2)(A)(i) of the Bal-
2 anced Budget and Emergency Deficit Control Act of 1985.

3 SEC. 792. For an additional amount for “Department
4 of Health and Human Services—Office of the Secretary—
5 Public Health and Social Services Emergency Fund” for
6 purchase of vaccines, therapeutics, and diagnostics for the
7 prevention and treatment of Ebola, \$535,000,000, to re-
8 main available until September 30, 2024: *Provided*, That
9 products purchased with funds provided under this section
10 may, at the discretion of the Secretary of Health and
11 Human Services, be deposited in the Strategic National
12 Stockpile under section 319F–2 of the PHS Act: *Provided*
13 *further*, That sections 319C–1(h)(3) and 319C–2(h) of the
14 PHS Act shall not apply to funds provided under this sec-
15 tion: *Provided further*, That funds provided under this sec-
16 tion may be used for the purposes specified in this section
17 or authorized under section 319F–4 of the PHS Act: *Pro-*
18 *vided further*, That such amount is designated by the Con-
19 gress as being for an emergency requirement pursuant to
20 section 251(b)(2)(A)(i) of the Balanced Budget and
21 Emergency Deficit Control Act of 1985.

22 This division may be cited as the “Agriculture, Rural
23 Development, Food and Drug Administration, and Re-
24 lated Agencies Appropriations Act, 2020”.

1 **DIVISION C—ENERGY AND WATER DEVEL-**
2 **OPMENT AND RELATED AGENCIES AP-**
3 **PROPRIATIONS ACT, 2020**

4 TITLE I

5 CORPS OF ENGINEERS—CIVIL

6 DEPARTMENT OF THE ARMY

7 CORPS OF ENGINEERS—CIVIL

8 The following appropriations shall be expended under
9 the direction of the Secretary of the Army and the super-
10 vision of the Chief of Engineers for authorized civil func-
11 tions of the Department of the Army pertaining to river
12 and harbor, flood and storm damage reduction, shore pro-
13 tection, aquatic ecosystem restoration, and related efforts.

14 INVESTIGATIONS

15 For expenses necessary where authorized by law for
16 the collection and study of basic information pertaining
17 to river and harbor, flood and storm damage reduction,
18 shore protection, aquatic ecosystem restoration, and re-
19 lated needs; for surveys and detailed studies, and plans
20 and specifications of proposed river and harbor, flood and
21 storm damage reduction, shore protection, and aquatic
22 ecosystem restoration projects, and related efforts prior to
23 construction; for restudy of authorized projects; and for
24 miscellaneous investigations, and, when authorized by law,
25 surveys and detailed studies, and plans and specifications

1 of projects prior to construction, \$151,000,000, to remain
2 available until expended: *Provided*, That the Secretary
3 shall initiate six new study starts during fiscal year 2020:
4 *Provided further*, That the Secretary shall not deviate from
5 the new starts proposed in the work plan, once the plan
6 has been submitted to the Committees on Appropriations
7 of both Houses of Congress.

8 CONSTRUCTION

9 For expenses necessary for the construction of river
10 and harbor, flood and storm damage reduction, shore pro-
11 tection, aquatic ecosystem restoration, and related
12 projects authorized by law; for conducting detailed studies,
13 and plans and specifications, of such projects (including
14 those involving participation by States, local governments,
15 or private groups) authorized or made eligible for selection
16 by law (but such detailed studies, and plans and specifica-
17 tions, shall not constitute a commitment of the Govern-
18 ment to construction); \$2,681,000,000, to remain avail-
19 able until expended; of which such sums as are necessary
20 to cover the Federal share of construction costs for facili-
21 ties under the Dredged Material Disposal Facilities pro-
22 gram shall be derived from the Harbor Maintenance Trust
23 Fund as authorized by Public Law 104–303; and of which
24 such sums as are necessary to cover one-half of the costs
25 of construction, replacement, rehabilitation, and expansion

1 of inland waterways projects, except for Chickamauga
2 Lock, Tennessee River, Tennessee, which shall be 35 per-
3 cent during the fiscal year covered by this Act, shall be
4 derived from the Inland Waterways Trust Fund, except
5 as otherwise specifically provided for in law: *Provided*,
6 That the Secretary shall initiate six new construction
7 starts during fiscal year 2020: *Provided further*, That for
8 new construction projects, project cost sharing agreements
9 shall be executed as soon as practicable but no later than
10 December 31, 2020: *Provided further*, That no allocation
11 for a new start shall be considered final and no work al-
12 lowance shall be made until the Secretary provides to the
13 Committees on Appropriations of both Houses of Congress
14 an out-year funding scenario demonstrating the afford-
15 ability of the selected new starts and the impacts on other
16 projects: *Provided further*, That the Secretary may not de-
17 viate from the new starts proposed in the work plan, once
18 the plan has been submitted to the Committees on Appro-
19 priations of both Houses of Congress.

20 MISSISSIPPI RIVER AND TRIBUTARIES

21 For expenses necessary for flood damage reduction
22 projects and related efforts in the Mississippi River allu-
23 vial valley below Cape Girardeau, Missouri, as authorized
24 by law, \$375,000,000, to remain available until expended,
25 of which such sums as are necessary to cover the Federal

1 share of eligible operation and maintenance costs for in-
2 land harbors shall be derived from the Harbor Mainte-
3 nance Trust Fund.

4 OPERATION AND MAINTENANCE

5 For expenses necessary for the operation, mainte-
6 nance, and care of existing river and harbor, flood and
7 storm damage reduction, aquatic ecosystem restoration,
8 and related projects authorized by law; providing security
9 for infrastructure owned or operated by the Corps, includ-
10 ing administrative buildings and laboratories; maintaining
11 harbor channels provided by a State, municipality, or
12 other public agency that serve essential navigation needs
13 of general commerce, where authorized by law; surveying
14 and charting northern and northwestern lakes and con-
15 necting waters; clearing and straightening channels; and
16 removing obstructions to navigation, \$3,790,000,000, to
17 remain available until expended, of which such sums as
18 are necessary to cover the Federal share of eligible oper-
19 ation and maintenance costs for coastal harbors and chan-
20 nels, and for inland harbors shall be derived from the Har-
21 bor Maintenance Trust Fund; of which such sums as be-
22 come available from the special account for the Corps of
23 Engineers established by the Land and Water Conserva-
24 tion Fund Act of 1965 shall be derived from that account
25 for resource protection, research, interpretation, and

1 maintenance activities related to resource protection in the
2 areas at which outdoor recreation is available; and of
3 which such sums as become available from fees collected
4 under section 217 of Public Law 104–303 shall be used
5 to cover the cost of operation and maintenance of the
6 dredged material disposal facilities for which such fees
7 have been collected: *Provided*, That 1 percent of the total
8 amount of funds provided for each of the programs,
9 projects, or activities funded under this heading shall not
10 be allocated to a field operating activity prior to the begin-
11 ning of the fourth quarter of the fiscal year and shall be
12 available for use by the Chief of Engineers to fund such
13 emergency activities as the Chief of Engineers determines
14 to be necessary and appropriate, and that the Chief of En-
15 gineers shall allocate during the fourth quarter any re-
16 maining funds which have not been used for emergency
17 activities proportionally in accordance with the amounts
18 provided for the programs, projects, or activities.

19 REGULATORY PROGRAM

20 For expenses necessary for administration of laws
21 pertaining to regulation of navigable waters and wetlands,
22 \$210,000,000, to remain available until September 30,
23 2021.

1 FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

2 For expenses necessary to clean up contamination
3 from sites in the United States resulting from work per-
4 formed as part of the Nation's early atomic energy pro-
5 gram, \$200,000,000, to remain available until expended.

6 FLOOD CONTROL AND COASTAL EMERGENCIES

7 For expenses necessary to prepare for flood, hurri-
8 cane, and other natural disasters and support emergency
9 operations, repairs, and other activities in response to
10 such disasters as authorized by law, \$35,000,000, to re-
11 main available until expended.

12 EXPENSES

13 For expenses necessary for the supervision and gen-
14 eral administration of the civil works program in the head-
15 quarters of the Corps of Engineers and the offices of the
16 Division Engineers; and for costs of management and op-
17 eration of the Humphreys Engineer Center Support Activ-
18 ity, the Institute for Water Resources, the United States
19 Army Engineer Research and Development Center, and
20 the United States Army Corps of Engineers Finance Cen-
21 ter allocable to the civil works program, \$203,000,000, to
22 remain available until September 30, 2021, of which not
23 to exceed \$5,000 may be used for official reception and
24 representation purposes and only during the current fiscal
25 year: *Provided*, That no part of any other appropriation

1 provided in this title shall be available to fund the civil
2 works activities of the Office of the Chief of Engineers
3 or the civil works executive direction and management ac-
4 tivities of the division offices: *Provided further*, That any
5 Flood Control and Coastal Emergencies appropriation
6 may be used to fund the supervision and general adminis-
7 tration of emergency operations, repairs, and other activi-
8 ties in response to any flood, hurricane, or other natural
9 disaster.

10 OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY
11 FOR CIVIL WORKS

12 For the Office of the Assistant Secretary of the Army
13 for Civil Works as authorized by 10 U.S.C. 3016(b)(3),
14 \$5,000,000, to remain available until September 30, 2021:
15 *Provided*, That not more than 75 percent of such amount
16 may be obligated or expended until the Assistant Sec-
17 retary submits to the Committees on Appropriations of
18 both Houses of Congress the report required under section
19 101(d) of this Act and a work plan that allocates at least
20 95 percent of the additional funding provided under each
21 heading in this title, as designated under such heading in
22 the explanatory statement described in section 4 (in the
23 matter preceding division A of this consolidated Act), to
24 specific programs, projects, or activities.

1 GENERAL PROVISIONS—CORPS OF
2 ENGINEERS—CIVIL
3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 101. (a) None of the funds provided in title I
5 of this Act, or provided by previous appropriations Acts
6 to the agencies or entities funded in title I of this Act
7 that remain available for obligation or expenditure in fiscal
8 year 2020, shall be available for obligation or expenditure
9 through a reprogramming of funds that:

10 (1) creates or initiates a new program, project,
11 or activity;

12 (2) eliminates a program, project, or activity;

13 (3) increases funds or personnel for any pro-
14 gram, project, or activity for which funds have been
15 denied or restricted by this Act, unless prior ap-
16 proval is received from the Committees on Appro-
17 priations of both Houses of Congress;

18 (4) proposes to use funds directed for a specific
19 activity for a different purpose, unless prior approval
20 is received from the Committees on Appropriations
21 of both Houses of Congress;

22 (5) augments or reduces existing programs,
23 projects, or activities in excess of the amounts con-
24 tained in paragraphs (6) through (10), unless prior

1 approval is received from the Committees on Appro-
2 priations of both Houses of Congress;

3 (6) INVESTIGATIONS.—For a base level over
4 \$100,000, reprogramming of 25 percent of the base
5 amount up to a limit of \$150,000 per project, study
6 or activity is allowed: *Provided*, That for a base level
7 less than \$100,000, the reprogramming limit is
8 \$25,000: *Provided further*, That up to \$25,000 may
9 be reprogrammed into any continuing study or activ-
10 ity that did not receive an appropriation for existing
11 obligations and concomitant administrative expenses;

12 (7) CONSTRUCTION.—For a base level over
13 \$2,000,000, reprogramming of 15 percent of the
14 base amount up to a limit of \$3,000,000 per project,
15 study or activity is allowed: *Provided*, That for a
16 base level less than \$2,000,000, the reprogramming
17 limit is \$300,000: *Provided further*, That up to
18 \$3,000,000 may be reprogrammed for settled con-
19 tractor claims, changed conditions, or real estate de-
20 ficiency judgments: *Provided further*, That up to
21 \$300,000 may be reprogrammed into any continuing
22 study or activity that did not receive an appropria-
23 tion for existing obligations and concomitant admin-
24 istrative expenses;

1 (8) OPERATION AND MAINTENANCE.—Unlim-
2 ited reprogramming authority is granted for the
3 Corps to be able to respond to emergencies: *Pro-*
4 *vided*, That the Chief of Engineers shall notify the
5 Committees on Appropriations of both Houses of
6 Congress of these emergency actions as soon there-
7 after as practicable: *Provided further*, That for a
8 base level over \$1,000,000, reprogramming of 15
9 percent of the base amount up to a limit of
10 \$5,000,000 per project, study, or activity is allowed:
11 *Provided further*, That for a base level less than
12 \$1,000,000, the reprogramming limit is \$150,000:
13 *Provided further*, That \$150,000 may be repro-
14 grammed into any continuing study or activity that
15 did not receive an appropriation;

16 (9) MISSISSIPPI RIVER AND TRIBUTARIES.—
17 The reprogramming guidelines in paragraphs (6),
18 (7), and (8) shall apply to the Investigations, Con-
19 struction, and Operation and Maintenance portions
20 of the Mississippi River and Tributaries Account, re-
21 spectively; and

22 (10) FORMERLY UTILIZED SITES REMEDIAL AC-
23 TION PROGRAM.—Reprogramming of up to 15 per-
24 cent of the base of the receiving project is permitted.

1 (b) DE MINIMUS REPROGRAMMINGS.—In no case
2 should a reprogramming for less than \$50,000 be sub-
3 mitted to the Committees on Appropriations of both
4 Houses of Congress.

5 (c) CONTINUING AUTHORITIES PROGRAM.—Sub-
6 section (a)(1) shall not apply to any project or activity
7 funded under the continuing authorities program.

8 (d) Not later than 60 days after the date of enact-
9 ment of this Act, the Secretary shall submit a report to
10 the Committees on Appropriations of both Houses of Con-
11 gress to establish the baseline for application of re-
12 programming and transfer authorities for the current fis-
13 cal year which shall include:

14 (1) A table for each appropriation with a sepa-
15 rate column to display the President’s budget re-
16 quest, adjustments made by Congress, adjustments
17 due to enacted rescissions, if applicable, and the fis-
18 cal year enacted level; and

19 (2) A delineation in the table for each appro-
20 priation both by object class and program, project
21 and activity as detailed in the budget appendix for
22 the respective appropriations; and

23 (3) An identification of items of special congres-
24 sional interest.

1 SEC. 102. The Secretary shall allocate funds made
2 available in this Act solely in accordance with the provi-
3 sions of this Act and the explanatory statement described
4 in section 4 (in the matter preceding division A of this
5 consolidated Act), including the determination and des-
6 ignation of new starts.

7 SEC. 103. None of the funds made available in this
8 title may be used to award or modify any contract that
9 commits funds beyond the amounts appropriated for that
10 program, project, or activity that remain unobligated, ex-
11 cept that such amounts may include any funds that have
12 been made available through reprogramming pursuant to
13 section 101.

14 SEC. 104. The Secretary of the Army may transfer
15 to the Fish and Wildlife Service, and the Fish and Wildlife
16 Service may accept and expend, up to \$5,400,000 of funds
17 provided in this title under the heading “Operation and
18 Maintenance” to mitigate for fisheries lost due to Corps
19 of Engineers projects.

20 SEC. 105. None of the funds in this Act shall be used
21 for an open lake placement alternative for dredged mate-
22 rial, after evaluating the least costly, environmentally ac-
23 ceptable manner for the disposal or management of
24 dredged material originating from Lake Erie or tributaries
25 thereto, unless it is approved under a State water quality

1 certification pursuant to section 401 of the Federal Water
2 Pollution Control Act (33 U.S.C. 1341): *Provided*, That
3 until an open lake placement alternative for dredged mate-
4 rial is approved under a State water quality certification,
5 the Corps of Engineers shall continue upland placement
6 of such dredged material consistent with the requirements
7 of section 101 of the Water Resources Development Act
8 of 1986 (33 U.S.C. 2211).

9 SEC. 106. None of the funds made available by this
10 Act or any other Act may be used to reorganize or to
11 transfer the Civil Works functions or authority of the
12 Corps of Engineers or the Secretary of the Army to an-
13 other department or agency.

14 SEC. 107. Additional funding provided in this Act
15 shall be allocated only to projects determined to be eligible
16 by the Chief of Engineers.

17 SEC. 108. None of the funds made available by this
18 Act may be used to carry out any water supply reallocation
19 study under the Wolf Creek Dam, Lake Cumberland, Ken-
20 tucky, project authorized under the Act of July 24, 1946
21 (60 Stat. 636, ch. 595).

1 TITLE II
2 DEPARTMENT OF THE INTERIOR
3 CENTRAL UTAH PROJECT

4 CENTRAL UTAH PROJECT COMPLETION ACCOUNT

5 For carrying out activities authorized by the Central
6 Utah Project Completion Act, \$20,000,000, to remain
7 available until expended, of which \$1,800,000 shall be de-
8 posited into the Utah Reclamation Mitigation and Con-
9 servation Account for use by the Utah Reclamation Miti-
10 gation and Conservation Commission: *Provided*, That of
11 the amount provided under this heading, \$1,500,000 shall
12 be available until September 30, 2021, for expenses nec-
13 essary in carrying out related responsibilities of the Sec-
14 retary of the Interior: *Provided further*, That for fiscal
15 year 2020, of the amount made available to the Commis-
16 sion under this Act or any other Act, the Commission may
17 use an amount not to exceed \$1,500,000 for administra-
18 tive expenses.

19 BUREAU OF RECLAMATION

20 The following appropriations shall be expended to
21 execute authorized functions of the Bureau of Reclama-
22 tion:

1 WATER AND RELATED RESOURCES

2 (INCLUDING TRANSFERS OF FUNDS)

3 For management, development, and restoration of
4 water and related natural resources and for related activi-
5 ties, including the operation, maintenance, and rehabilita-
6 tion of reclamation and other facilities, participation in
7 fulfilling related Federal responsibilities to Native Ameri-
8 cans, and related grants to, and cooperative and other
9 agreements with, State and local governments, federally
10 recognized Indian tribes, and others, \$1,512,151,000, to
11 remain available until expended, of which \$69,932,000
12 shall be available for transfer to the Upper Colorado River
13 Basin Fund and \$5,023,000 shall be available for transfer
14 to the Lower Colorado River Basin Development Fund;
15 of which such amounts as may be necessary may be ad-
16 vanced to the Colorado River Dam Fund: *Provided*, That
17 \$10,000,000 shall be available for transfer into the Black-
18 feet Water Settlement Implementation Fund established
19 by section 3717 of Public Law 114–322: *Provided further*,
20 That the unobligated balances in “Water and Related Re-
21 sources” for the Blackfeet Water Rights Settlement Act
22 may be transferred to the Blackfeet Water Settlement Im-
23 plementation Fund account: *Provided further*, That such
24 transfers may be increased or decreased within the overall
25 appropriation under this heading: *Provided further*, That

1 within available funds, \$250,000 shall be for grants and
2 financial assistance for educational activities: *Provided*
3 *further*, That of the total appropriated, the amount for
4 program activities that can be financed by the Reclama-
5 tion Fund or the Bureau of Reclamation special fee ac-
6 count established by 16 U.S.C. 6806 shall be derived from
7 that Fund or account: *Provided further*, That funds con-
8 tributed under 43 U.S.C. 395 are available until expended
9 for the purposes for which the funds were contributed:
10 *Provided further*, That funds advanced under 43 U.S.C.
11 397a shall be credited to this account and are available
12 until expended for the same purposes as the sums appro-
13 priated under this heading: *Provided further*, That of the
14 amounts provided herein, funds may be used for high-pri-
15 ority projects which shall be carried out by the Youth Con-
16 servation Corps, as authorized by 16 U.S.C. 1706: *Pro-*
17 *vided further*, That of the amounts made available under
18 this heading, \$4,000,000 shall be for one payment for de-
19 ferred construction funding to the Navajo Nation to fulfill
20 the construction obligations described in section 15(b) of
21 the Colorado Ute Indian Water Rights Settlement Act of
22 1988 (Public Law 100–585), as amended by the Colorado
23 Ute Settlement Act Amendments of 2000 (Public Law
24 106–554), and to complete the commissioning and title
25 transfer of the Navajo Nation Municipal Pipeline: *Pro-*

1 *vided further*, That in accordance with section 4009(c) of
2 Public Law 114–322, and as recommended by the Sec-
3 retary in a letter dated February 13, 2019, funding pro-
4 vided for such purpose in fiscal year 2018 shall be made
5 available to the Expanding Recycled Water Delivery
6 Project (VenturaWaterPure), the Pure Water Monterey
7 Groundwater Replenishment Project, the Groundwater
8 Reliability Improvement Program (GRIP) Recycled Water
9 Project, the North Valley Regional Recycled Water Pro-
10 gram, the South Sacramento County Agriculture and
11 Habitat Lands Recycled Water Program, and the Central
12 Coast Blue project: *Provided further*, That in accordance
13 with section 4007 of Public Law 114–322, and as rec-
14 ommended by the Secretary in a letter dated February 13,
15 2019, funding provided for such purpose in fiscal years
16 2017 and 2018 shall be made available to the Cle Elum
17 Pool Raise, the Boise River Basin Feasibility Study, the
18 Del Puerto Water District, the Los Vaqueros Reservoir
19 Phase 2 Expansion Project, the North-of-the Delta Off
20 stream Storage (Sites Reservoir Project), and the Friant-
21 Kern Canal Capacity Correction Resulting Subsidence:
22 *Provided further*, That in accordance with section 4009(a)
23 of Public Law 114–322, and as recommended by the Sec-
24 retary in a letter dated February 13, 2019, funding pro-
25 vided for such purpose in fiscal years 2017 and 2018 shall

1 be made available to the Doheny Ocean Desalination
2 Project, the Kay Bailey Hutchison Desalination Plant, the
3 North Pleasant Valley Desalter Facility, and the Mission
4 Basin Groundwater Purification Facility Well Expansion
5 and Brine Minimization.

6 CENTRAL VALLEY PROJECT RESTORATION FUND

7 For carrying out the programs, projects, plans, habi-
8 tat restoration, improvement, and acquisition provisions of
9 the Central Valley Project Improvement Act, \$54,849,000,
10 to be derived from such sums as may be collected in the
11 Central Valley Project Restoration Fund pursuant to sec-
12 tions 3407(d), 3404(c)(3), and 3405(f) of Public Law
13 102–575, to remain available until expended: *Provided*,
14 That the Bureau of Reclamation is directed to assess and
15 collect the full amount of the additional mitigation and
16 restoration payments authorized by section 3407(d) of
17 Public Law 102–575: *Provided further*, That none of the
18 funds made available under this heading may be used for
19 the acquisition or leasing of water for in-stream purposes
20 if the water is already committed to in-stream purposes
21 by a court adopted decree or order.

22 CALIFORNIA BAY-DELTA RESTORATION
23 (INCLUDING TRANSFERS OF FUNDS)

24 For carrying out activities authorized by the Water
25 Supply, Reliability, and Environmental Improvement Act,

1 consistent with plans to be approved by the Secretary of
2 the Interior, \$33,000,000, to remain available until ex-
3 pended, of which such amounts as may be necessary to
4 carry out such activities may be transferred to appropriate
5 accounts of other participating Federal agencies to carry
6 out authorized purposes: *Provided*, That funds appro-
7 priated herein may be used for the Federal share of the
8 costs of CALFED Program management: *Provided fur-*
9 *ther*, That CALFED implementation shall be carried out
10 in a balanced manner with clear performance measures
11 demonstrating concurrent progress in achieving the goals
12 and objectives of the Program.

13 POLICY AND ADMINISTRATION

14 For expenses necessary for policy, administration,
15 and related functions in the Office of the Commissioner,
16 the Denver office, and offices in the five regions of the
17 Bureau of Reclamation, to remain available until Sep-
18 tember 30, 2021, \$60,000,000, to be derived from the
19 Reclamation Fund and be nonreimbursable as provided in
20 43 U.S.C. 377: *Provided*, That no part of any other appro-
21 priation in this Act shall be available for activities or func-
22 tions budgeted as policy and administration expenses.

1 ADMINISTRATIVE PROVISION

2 Appropriations for the Bureau of Reclamation shall
3 be available for purchase of not to exceed five passenger
4 motor vehicles, which are for replacement only.

5 GENERAL PROVISIONS—DEPARTMENT OF THE
6 INTERIOR

7 SEC. 201. (a) None of the funds provided in title II
8 of this Act for Water and Related Resources, or provided
9 by previous or subsequent appropriations Acts to the agen-
10 cies or entities funded in title II of this Act for Water
11 and Related Resources that remain available for obligation
12 or expenditure in fiscal year 2020, shall be available for
13 obligation or expenditure through a reprogramming of
14 funds that—

15 (1) initiates or creates a new program, project,
16 or activity;

17 (2) eliminates a program, project, or activity;

18 (3) increases funds for any program, project, or
19 activity for which funds have been denied or re-
20 stricted by this Act, unless prior approval is received
21 from the Committees on Appropriations of both
22 Houses of Congress;

23 (4) restarts or resumes any program, project or
24 activity for which funds are not provided in this Act,

1 unless prior approval is received from the Commit-
2 tees on Appropriations of both Houses of Congress;

3 (5) transfers funds in excess of the following
4 limits, unless prior approval is received from the
5 Committees on Appropriations of both Houses of
6 Congress:

7 (A) 15 percent for any program, project or
8 activity for which \$2,000,000 or more is avail-
9 able at the beginning of the fiscal year; or

10 (B) \$400,000 for any program, project or
11 activity for which less than \$2,000,000 is avail-
12 able at the beginning of the fiscal year;

13 (6) transfers more than \$500,000 from either
14 the Facilities Operation, Maintenance, and Rehabili-
15 tation category or the Resources Management and
16 Development category to any program, project, or
17 activity in the other category, unless prior approval
18 is received from the Committees on Appropriations
19 of both Houses of Congress; or

20 (7) transfers, where necessary to discharge legal
21 obligations of the Bureau of Reclamation, more than
22 \$5,000,000 to provide adequate funds for settled
23 contractor claims, increased contractor earnings due
24 to accelerated rates of operations, and real estate de-
25 ficiency judgments, unless prior approval is received

1 from the Committees on Appropriations of both
2 Houses of Congress.

3 (b) Subsection (a)(5) shall not apply to any transfer
4 of funds within the Facilities Operation, Maintenance, and
5 Rehabilitation category.

6 (c) For purposes of this section, the term “transfer”
7 means any movement of funds into or out of a program,
8 project, or activity.

9 (d) The Bureau of Reclamation shall submit reports
10 on a quarterly basis to the Committees on Appropriations
11 of both Houses of Congress detailing all the funds repro-
12 grammed between programs, projects, activities, or cat-
13 egories of funding. The first quarterly report shall be sub-
14 mitted not later than 60 days after the date of enactment
15 of this Act.

16 SEC. 202. (a) None of the funds appropriated or oth-
17 erwise made available by this Act may be used to deter-
18 mine the final point of discharge for the interceptor drain
19 for the San Luis Unit until development by the Secretary
20 of the Interior and the State of California of a plan, which
21 shall conform to the water quality standards of the State
22 of California as approved by the Administrator of the En-
23 vironmental Protection Agency, to minimize any detri-
24 mental effect of the San Luis drainage waters.

1 (b) The costs of the Kesterson Reservoir Cleanup
2 Program and the costs of the San Joaquin Valley Drain-
3 age Program shall be classified by the Secretary of the
4 Interior as reimbursable or nonreimbursable and collected
5 until fully repaid pursuant to the “Cleanup Program—
6 Alternative Repayment Plan” and the “SJVDP—Alter-
7 native Repayment Plan” described in the report entitled
8 “Repayment Report, Kesterson Reservoir Cleanup Pro-
9 gram and San Joaquin Valley Drainage Program, Feb-
10 ruary 1995”, prepared by the Department of the Interior,
11 Bureau of Reclamation. Any future obligations of funds
12 by the United States relating to, or providing for, drainage
13 service or drainage studies for the San Luis Unit shall
14 be fully reimbursable by San Luis Unit beneficiaries of
15 such service or studies pursuant to Federal reclamation
16 law.

17 SEC. 203. Section 9504(e) of the Omnibus Public
18 Land Management Act of 2009 (42 U.S.C. 10364(e)) is
19 amended by striking “\$480,000,000” and inserting
20 “\$530,000,000”.

21 SEC. 204. Title I of Public Law 108–361 (the
22 CALFED Bay-Delta Authorization Act) (118 Stat. 1681),
23 as amended by section 4007(k) of Public Law 114–322,
24 is amended by striking “2019” each place it appears and
25 inserting “2020”.

1 SEC. 205. Section 9106(g)(2) of Public Law 111–11
2 (Omnibus Public Land Management Act of 2009) is
3 amended by striking “2019” and inserting “2020”.

4 SEC. 206. The Claims Resolution Act of 2010 (Public
5 Law 111–291) is amended—

6 (1) in section 309(d), by striking “2021” each
7 place it appears and inserting “2023”; and

8 (2) in section 311(h), by striking “2021” and
9 inserting “2023”.

1 TITLE III
2 DEPARTMENT OF ENERGY
3 ENERGY PROGRAMS
4 ENERGY EFFICIENCY AND RENEWABLE ENERGY
5 (INCLUDING RESCISSION OF FUNDS)
6 For Department of Energy expenses including the
7 purchase, construction, and acquisition of plant and cap-
8 ital equipment, and other expenses necessary for energy
9 efficiency and renewable energy activities in carrying out
10 the purposes of the Department of Energy Organization
11 Act (42 U.S.C. 7101 et seq.), including the acquisition or
12 condemnation of any real property or any facility or for
13 plant or facility acquisition, construction, or expansion,
14 \$2,848,000,000, to remain available until expended: *Pro-*
15 *vided*, That of such amount, \$165,000,000 shall be avail-
16 able until September 30, 2021, for program direction: *Pro-*
17 *vided further*, That of the unobligated balances from prior
18 year appropriations available under this heading,
19 \$58,000,000 is hereby rescinded: *Provided further*, That
20 no amounts may be rescinded from amounts that were
21 designated by the Congress as an emergency requirement
22 pursuant to the Concurrent Resolution on the Budget or
23 the Balanced Budget and Emergency Deficit Control Act
24 of 1985.

1 CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY
2 RESPONSE

3 For Department of Energy expenses including the
4 purchase, construction, and acquisition of plant and cap-
5 ital equipment, and other expenses necessary for energy
6 sector cybersecurity, energy security, and emergency re-
7 sponse activities in carrying out the purposes of the De-
8 partment of Energy Organization Act (42 U.S.C. 7101 et
9 seq.), including the acquisition or condemnation of any
10 real property or any facility or for plant or facility acqui-
11 sition, construction, or expansion, \$156,000,000, to remain
12 available until expended: *Provided*, That of such amount,
13 \$13,000,000 shall be available until September 30, 2021,
14 for program direction.

15 ELECTRICITY

16 For Department of Energy expenses including the
17 purchase, construction, and acquisition of plant and cap-
18 ital equipment, and other expenses necessary for elec-
19 tricity delivery activities in carrying out the purposes of
20 the Department of Energy Organization Act (42 U.S.C.
21 7101 et seq.), including the acquisition or condemnation
22 of any real property or any facility or for plant or facility
23 acquisition, construction, or expansion, \$190,000,000, to
24 remain available until expended: *Provided*, That of such

1 amount, \$18,000,000 shall be available until September
2 30, 2021, for program direction.

3 NUCLEAR ENERGY

4 For Department of Energy expenses including the
5 purchase, construction, and acquisition of plant and cap-
6 ital equipment, and other expenses necessary for nuclear
7 energy activities in carrying out the purposes of the De-
8 partment of Energy Organization Act (42 U.S.C. 7101 et
9 seq.), including the acquisition or condemnation of any
10 real property or any facility or for plant or facility acquisi-
11 tion, construction, or expansion, \$1,493,408,000, to re-
12 main available until expended: *Provided*, That of such
13 amount, \$80,000,000 shall be available until September
14 30, 2021, for program direction.

15 FOSSIL ENERGY RESEARCH AND DEVELOPMENT

16 For Department of Energy expenses necessary in car-
17 rying out fossil energy research and development activi-
18 ties, under the authority of the Department of Energy Or-
19 ganization Act (42 U.S.C. 7101 et seq.), including the ac-
20 quisition of interest, including defeasible and equitable in-
21 terests in any real property or any facility or for plant
22 or facility acquisition or expansion, and for conducting in-
23 quiries, technological investigations and research con-
24 cerning the extraction, processing, use, and disposal of
25 mineral substances without objectionable social and envi-

1 ronmental costs (30 U.S.C. 3, 1602, and 1603),
2 \$750,000,000, to remain available until expended: *Pro-*
3 *vided*, That of such amount \$61,500,000 shall be available
4 until September 30, 2021, for program direction.

5 NAVAL PETROLEUM AND OIL SHALE RESERVES

6 For Department of Energy expenses necessary to
7 carry out naval petroleum and oil shale reserve activities,
8 \$14,000,000, to remain available until expended: *Pro-*
9 *vided*, That notwithstanding any other provision of law,
10 unobligated funds remaining from prior years shall be
11 available for all naval petroleum and oil shale reserve ac-
12 tivities.

13 STRATEGIC PETROLEUM RESERVE

14 For Department of Energy expenses necessary for
15 Strategic Petroleum Reserve facility development and op-
16 erations and program management activities pursuant to
17 the Energy Policy and Conservation Act (42 U.S.C. 6201
18 et seq.), \$195,000,000, to remain available until expended:
19 *Provided*, That, as authorized by section 404 of the Bipar-
20 tisan Budget Act of 2015 (Public Law 114–74; 42 U.S.C.
21 6239 note), the Secretary of Energy shall draw down and
22 sell not to exceed \$450,000,000 of crude oil from the Stra-
23 tegic Petroleum Reserve in fiscal year 2020: *Provided fur-*
24 *ther*, That the proceeds from such drawdown and sale shall
25 be deposited into the “Energy Security and Infrastructure

1 Modernization Fund” during fiscal year 2020: *Provided*
2 *further*, That such amounts shall be made available and
3 shall remain available until expended for necessary ex-
4 penses to carry out the Life Extension II project for the
5 Strategic Petroleum Reserve.

6 SPR PETROLEUM ACCOUNT

7 For the acquisition, transportation, and injection of
8 petroleum products, and for other necessary expenses pur-
9 suant to the Energy Policy and Conservation Act of 1975,
10 as amended (42 U.S.C. 6201 et seq.), sections 403 and
11 404 of the Bipartisan Budget Act of 2015 (42 U.S.C.
12 6241, 6239 note), and section 5010 of the 21st Century
13 Cures Act (Public Law 114–255), \$10,000,000, to remain
14 available until expended.

15 NORTHEAST HOME HEATING OIL RESERVE

16 For Department of Energy expenses necessary for
17 Northeast Home Heating Oil Reserve storage, operation,
18 and management activities pursuant to the Energy Policy
19 and Conservation Act (42 U.S.C. 6201 et seq.),
20 \$10,000,000, to remain available until expended.

21 ENERGY INFORMATION ADMINISTRATION

22 For Department of Energy expenses necessary in car-
23 rying out the activities of the Energy Information Admin-
24 istration, \$126,800,000, to remain available until ex-
25 pended.

1 NON-DEFENSE ENVIRONMENTAL CLEANUP

2 For Department of Energy expenses, including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment and other expenses necessary for non-de-
5 fense environmental cleanup activities in carrying out the
6 purposes of the Department of Energy Organization Act
7 (42 U.S.C. 7101 et seq.), including the acquisition or con-
8 demnation of any real property or any facility or for plant
9 or facility acquisition, construction, or expansion,
10 \$319,200,000, to remain available until expended: *Pro-*
11 *vided*, That \$200,000 of the funds provided are for com-
12 munity support.

13 URANIUM ENRICHMENT DECONTAMINATION AND
14 DECOMMISSIONING FUND

15 For Department of Energy expenses necessary in car-
16 rying out uranium enrichment facility decontamination
17 and decommissioning, remedial actions, and other activi-
18 ties of title II of the Atomic Energy Act of 1954, and
19 title X, subtitle A, of the Energy Policy Act of 1992,
20 \$881,000,000, to be derived from the Uranium Enrich-
21 ment Decontamination and Decommissioning Fund, to re-
22 main available until expended, of which \$5,250,000 shall
23 be available in accordance with title X, subtitle A, of the
24 Energy Policy Act of 1992.

1 SCIENCE

2 For Department of Energy expenses including the
3 purchase, construction, and acquisition of plant and cap-
4 ital equipment, and other expenses necessary for science
5 activities in carrying out the purposes of the Department
6 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
7 cluding the acquisition or condemnation of any real prop-
8 erty or any facility or for plant or facility acquisition, con-
9 struction, or expansion, and purchase of not more than
10 33 passenger motor vehicles including one bus,
11 \$7,000,000,000, to remain available until expended: *Pro-*
12 *vided*, That of such amount, \$186,300,000 shall be avail-
13 able until September 30, 2021, for program direction.

14 ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

15 For Department of Energy expenses necessary in car-
16 rying out the activities authorized by section 5012 of the
17 America COMPETES Act (Public Law 110–69),
18 \$425,000,000, to remain available until expended: *Pro-*
19 *vided*, That of such amount, \$35,000,000 shall be avail-
20 able until September 30, 2021, for program direction.

21 TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE

22 PROGRAM

23 Such sums as are derived from amounts received
24 from borrowers pursuant to section 1702(b) of the Energy
25 Policy Act of 2005 under this heading in prior Acts, shall

1 be collected in accordance with section 502(7) of the Con-
2 gressional Budget Act of 1974: *Provided*, That for nec-
3 essary administrative expenses of the Title 17 Innovative
4 Technology Loan Guarantee Program, as authorized,
5 \$32,000,000 is appropriated, to remain available until
6 September 30, 2021: *Provided further*, That up to
7 \$32,000,000 of fees collected in fiscal year 2020 pursuant
8 to section 1702(h) of the Energy Policy Act of 2005 shall
9 be credited as offsetting collections under this heading and
10 used for necessary administrative expenses in this appro-
11 priation and shall remain available until September 30,
12 2021: *Provided further*, That to the extent that fees col-
13 lected in fiscal year 2020 exceed \$32,000,000, those ex-
14 cess amounts shall be credited as offsetting collections
15 under this heading and available in future fiscal years only
16 to the extent provided in advance in appropriations Acts:
17 *Provided further*, That the sum herein appropriated from
18 the general fund shall be reduced (1) as such fees are re-
19 ceived during fiscal year 2020 (estimated at \$3,000,000)
20 and (2) to the extent that any remaining general fund ap-
21 propriations can be derived from fees collected in previous
22 fiscal years that are not otherwise appropriated, so as to
23 result in a final fiscal year 2020 appropriation from the
24 general fund estimated at \$0: *Provided further*, That the
25 Department of Energy shall not subordinate any loan obli-

1 DEPARTMENTAL ADMINISTRATION

2 For salaries and expenses of the Department of En-
3 ergy necessary for departmental administration in car-
4 rying out the purposes of the Department of Energy Orga-
5 nization Act (42 U.S.C. 7101 et seq.), \$254,378,000, to
6 remain available until September 30, 2021, including the
7 hire of passenger motor vehicles and official reception and
8 representation expenses not to exceed \$30,000, plus such
9 additional amounts as necessary to cover increases in the
10 estimated amount of cost of work for others notwith-
11 standing the provisions of the Anti-Deficiency Act (31
12 U.S.C. 1511 et seq.): *Provided*, That such increases in
13 cost of work are offset by revenue increases of the same
14 or greater amount: *Provided further*, That moneys received
15 by the Department for miscellaneous revenues estimated
16 to total \$93,378,000 in fiscal year 2020 may be retained
17 and used for operating expenses within this account, as
18 authorized by section 201 of Public Law 95–238, notwith-
19 standing the provisions of 31 U.S.C. 3302: *Provided fur-*
20 *ther*, That the sum herein appropriated shall be reduced
21 as collections are received during the fiscal year so as to
22 result in a final fiscal year 2020 appropriation from the
23 general fund estimated at not more than \$161,000,000.

1 OFFICE OF THE INSPECTOR GENERAL

2 For expenses necessary for the Office of the Inspector
3 General in carrying out the provisions of the Inspector
4 General Act of 1978, \$54,215,000, to remain available
5 until September 30, 2021.

6 ATOMIC ENERGY DEFENSE ACTIVITIES

7 NATIONAL NUCLEAR SECURITY

8 ADMINISTRATION

9 WEAPONS ACTIVITIES

10 For Department of Energy expenses, including the
11 purchase, construction, and acquisition of plant and cap-
12 ital equipment and other incidental expenses necessary for
13 atomic energy defense weapons activities in carrying out
14 the purposes of the Department of Energy Organization
15 Act (42 U.S.C. 7101 et seq.), including the acquisition or
16 condemnation of any real property or any facility or for
17 plant or facility acquisition, construction, or expansion,
18 and the purchase of not to exceed one ambulance for re-
19 placement only, \$12,457,097,000, to remain available
20 until expended: *Provided*, That of such amount,
21 \$107,660,000 shall be available until September 30, 2021,
22 for program direction.

23 DEFENSE NUCLEAR NONPROLIFERATION

24 For Department of Energy expenses, including the
25 purchase, construction, and acquisition of plant and cap-

1 \$434,699,000, to remain available until September 30,
2 2021, including official reception and representation ex-
3 penses not to exceed \$17,000.

4 ENVIRONMENTAL AND OTHER DEFENSE
5 ACTIVITIES

6 DEFENSE ENVIRONMENTAL CLEANUP

7 For Department of Energy expenses, including the
8 purchase, construction, and acquisition of plant and cap-
9 ital equipment and other expenses necessary for atomic
10 energy defense environmental cleanup activities in car-
11 rying out the purposes of the Department of Energy Orga-
12 nization Act (42 U.S.C. 7101 et seq.), including the acqui-
13 sition or condemnation of any real property or any facility
14 or for plant or facility acquisition, construction, or expan-
15 sion, \$6,255,000,000, to remain available until expended:
16 *Provided*, That of such amount, \$281,119,000 shall be
17 available until September 30, 2021, for program direction.

18 OTHER DEFENSE ACTIVITIES

19 For Department of Energy expenses, including the
20 purchase, construction, and acquisition of plant and cap-
21 ital equipment and other expenses, necessary for atomic
22 energy defense, other defense activities, and classified ac-
23 tivities, in carrying out the purposes of the Department
24 of Energy Organization Act (42 U.S.C. 7101 et seq.), in-
25 cluding the acquisition or condemnation of any real prop-

1 erty or any facility or for plant or facility acquisition, con-
2 struction, or expansion, and purchase of not more than
3 one passenger motor vehicle, \$906,000,000, to remain
4 available until expended: *Provided*, That of such amount,
5 \$328,917,000 shall be available until September 30, 2021,
6 for program direction.

7 POWER MARKETING ADMINISTRATIONS

8 BONNEVILLE POWER ADMINISTRATION FUND

9 Expenditures from the Bonneville Power Administra-
10 tion Fund, established pursuant to Public Law 93–454,
11 are approved for the Steigerwald Floodplain Restoration
12 Project and, in addition, for official reception and rep-
13 resentation expenses in an amount not to exceed \$5,000:
14 *Provided*, That during fiscal year 2020, no new direct loan
15 obligations may be made: *Provided further*, Expenditures
16 from the Bonneville Power Administration Fund, estab-
17 lished pursuant to Public Law 93–454 are authorized and
18 approved, without fiscal year limitation, for the cost of
19 current and future year purchases or payments of emis-
20 sions expenses associated with Bonneville Power Adminis-
21 tration power and transmission operations in states with
22 clean energy programs: *Provided further*, This expenditure
23 authorization is limited solely to Bonneville Power Admin-
24 istration’s voluntary purchase or payments made in con-
25 junction with state clean energy programs and is not a

1 broader waiver of Bonneville Power Administration's sov-
2 ereign immunity.

3 OPERATION AND MAINTENANCE, SOUTHEASTERN POWER
4 ADMINISTRATION

5 For expenses necessary for operation and mainte-
6 nance of power transmission facilities and for marketing
7 electric power and energy, including transmission wheeling
8 and ancillary services, pursuant to section 5 of the Flood
9 Control Act of 1944 (16 U.S.C. 825s), as applied to the
10 southeastern power area, \$6,597,000, including official re-
11 ception and representation expenses in an amount not to
12 exceed \$1,500, to remain available until expended: *Pro-*
13 *vided*, That notwithstanding 31 U.S.C. 3302 and section
14 5 of the Flood Control Act of 1944, up to \$6,597,000 col-
15 lected by the Southeastern Power Administration from the
16 sale of power and related services shall be credited to this
17 account as discretionary offsetting collections, to remain
18 available until expended for the sole purpose of funding
19 the annual expenses of the Southeastern Power Adminis-
20 tration: *Provided further*, That the sum herein appro-
21 priated for annual expenses shall be reduced as collections
22 are received during the fiscal year so as to result in a final
23 fiscal year 2020 appropriation estimated at not more than
24 \$0: *Provided further*, That notwithstanding 31 U.S.C.
25 3302, up to \$56,000,000 collected by the Southeastern

1 Power Administration pursuant to the Flood Control Act
2 of 1944 to recover purchase power and wheeling expenses
3 shall be credited to this account as offsetting collections,
4 to remain available until expended for the sole purpose
5 of making purchase power and wheeling expenditures:
6 *Provided further*, That for purposes of this appropriation,
7 annual expenses means expenditures that are generally re-
8 covered in the same year that they are incurred (excluding
9 purchase power and wheeling expenses).

10 OPERATION AND MAINTENANCE, SOUTHWESTERN

11 POWER ADMINISTRATION

12 For expenses necessary for operation and mainte-
13 nance of power transmission facilities and for marketing
14 electric power and energy, for construction and acquisition
15 of transmission lines, substations and appurtenant facili-
16 ties, and for administrative expenses, including official re-
17 ception and representation expenses in an amount not to
18 exceed \$1,500 in carrying out section 5 of the Flood Con-
19 trol Act of 1944 (16 U.S.C. 825s), as applied to the
20 Southwestern Power Administration, \$47,775,000, to re-
21 main available until expended: *Provided*, That notwith-
22 standing 31 U.S.C. 3302 and section 5 of the Flood Con-
23 trol Act of 1944 (16 U.S.C. 825s), up to \$37,375,000 col-
24 lected by the Southwestern Power Administration from
25 the sale of power and related services shall be credited to

1 this account as discretionary offsetting collections, to re-
2 main available until expended, for the sole purpose of
3 funding the annual expenses of the Southwestern Power
4 Administration: *Provided further*, That the sum herein ap-
5 propriated for annual expenses shall be reduced as collec-
6 tions are received during the fiscal year so as to result
7 in a final fiscal year 2020 appropriation estimated at not
8 more than \$10,400,000: *Provided further*, That notwith-
9 standing 31 U.S.C. 3302, up to \$43,000,000 collected by
10 the Southwestern Power Administration pursuant to the
11 Flood Control Act of 1944 to recover purchase power and
12 wheeling expenses shall be credited to this account as off-
13 setting collections, to remain available until expended for
14 the sole purpose of making purchase power and wheeling
15 expenditures: *Provided further*, That for purposes of this
16 appropriation, annual expenses means expenditures that
17 are generally recovered in the same year that they are in-
18 curred (excluding purchase power and wheeling expenses).

19 CONSTRUCTION, REHABILITATION, OPERATION AND
20 MAINTENANCE, WESTERN AREA POWER ADMINIS-
21 TRATION

22 (INCLUDING RESCISSION OF FUNDS)

23 For carrying out the functions authorized by title III,
24 section 302(a)(1)(E) of the Act of August 4, 1977 (42
25 U.S.C. 7152), and other related activities including con-

1 servation and renewable resources programs as author-
2 ized, \$262,959,000, including official reception and rep-
3 resentation expenses in an amount not to exceed \$1,500,
4 to remain available until expended, of which \$262,959,000
5 shall be derived from the Department of the Interior Rec-
6 lamation Fund: *Provided*, That notwithstanding 31 U.S.C.
7 3302, section 5 of the Flood Control Act of 1944 (16
8 U.S.C. 825s), and section 1 of the Interior Department
9 Appropriation Act, 1939 (43 U.S.C. 392a), up to
10 \$173,587,000 collected by the Western Area Power Ad-
11 ministration from the sale of power and related services
12 shall be credited to this account as discretionary offsetting
13 collections, to remain available until expended, for the sole
14 purpose of funding the annual expenses of the Western
15 Area Power Administration: *Provided further*, That the
16 sum herein appropriated for annual expenses shall be re-
17 duced as collections are received during the fiscal year so
18 as to result in a final fiscal year 2020 appropriation esti-
19 mated at not more than \$89,372,000, of which
20 \$89,372,000 is derived from the Reclamation Fund: *Pro-*
21 *vided further*, That notwithstanding 31 U.S.C. 3302, up
22 to \$227,000,000 collected by the Western Area Power Ad-
23 ministration pursuant to the Flood Control Act of 1944
24 and the Reclamation Project Act of 1939 to recover pur-
25 chase power and wheeling expenses shall be credited to

1 this account as offsetting collections, to remain available
2 until expended for the sole purpose of making purchase
3 power and wheeling expenditures: *Provided further*, That
4 for purposes of this appropriation, annual expenses means
5 expenditures that are generally recovered in the same year
6 that they are incurred (excluding purchase power and
7 wheeling expenses): *Provided further*, That of the unobli-
8 gated balances from prior year appropriations available
9 under this heading, \$176,000 is hereby permanently can-
10 celled.

11 FALCON AND AMISTAD OPERATING AND MAINTENANCE
12 FUND

13 For operation, maintenance, and emergency costs for
14 the hydroelectric facilities at the Falcon and Amistad
15 Dams, \$3,160,000, to remain available until expended,
16 and to be derived from the Falcon and Amistad Operating
17 and Maintenance Fund of the Western Area Power Ad-
18 ministration, as provided in section 2 of the Act of June
19 18, 1954 (68 Stat. 255): *Provided*, That notwithstanding
20 the provisions of that Act and of 31 U.S.C. 3302, up to
21 \$2,932,000 collected by the Western Area Power Adminis-
22 tration from the sale of power and related services from
23 the Falcon and Amistad Dams shall be credited to this
24 account as discretionary offsetting collections, to remain
25 available until expended for the sole purpose of funding

1 the annual expenses of the hydroelectric facilities of these
2 Dams and associated Western Area Power Administration
3 activities: *Provided further*, That the sum herein appro-
4 priated for annual expenses shall be reduced as collections
5 are received during the fiscal year so as to result in a final
6 fiscal year 2020 appropriation estimated at not more than
7 \$228,000: *Provided further*, That for purposes of this ap-
8 propriation, annual expenses means expenditures that are
9 generally recovered in the same year that they are in-
10 curred: *Provided further*, That for fiscal year 2020, the
11 Administrator of the Western Area Power Administration
12 may accept up to \$1,187,000 in funds contributed by
13 United States power customers of the Falcon and Amistad
14 Dams for deposit into the Falcon and Amistad Operating
15 and Maintenance Fund, and such funds shall be available
16 for the purpose for which contributed in like manner as
17 if said sums had been specifically appropriated for such
18 purpose: *Provided further*, That any such funds shall be
19 available without further appropriation and without fiscal
20 year limitation for use by the Commissioner of the United
21 States Section of the International Boundary and Water
22 Commission for the sole purpose of operating, maintain-
23 ing, repairing, rehabilitating, replacing, or upgrading the
24 hydroelectric facilities at these Dams in accordance with

1 agreements reached between the Administrator, Commis-
2 sioner, and the power customers.

3 FEDERAL ENERGY REGULATORY COMMISSION

4 SALARIES AND EXPENSES

5 For expenses necessary for the Federal Energy Regu-
6 latory Commission to carry out the provisions of the De-
7 partment of Energy Organization Act (42 U.S.C. 7101 et
8 seq.), including services as authorized by 5 U.S.C. 3109,
9 official reception and representation expenses not to ex-
10 ceed \$3,000, and the hire of passenger motor vehicles,
11 \$382,000,000, to remain available until expended: *Pro-*
12 *vided*, That notwithstanding any other provision of law,
13 not to exceed \$382,000,000 of revenues from fees and an-
14 nual charges, and other services and collections in fiscal
15 year 2020 shall be retained and used for expenses nec-
16 essary in this account, and shall remain available until ex-
17 pended: *Provided further*, That the sum herein appro-
18 priated from the general fund shall be reduced as revenues
19 are received during fiscal year 2020 so as to result in a
20 final fiscal year 2020 appropriation from the general fund
21 estimated at not more than \$0.

1 (D) announce publicly the intention to make an
2 allocation, award, or Agreement in excess of the lim-
3 its in subparagraph (A) or (B).

4 (2) The Secretary of Energy shall submit to the Com-
5 mittees on Appropriations of both Houses of Congress
6 within 15 days of the conclusion of each quarter a report
7 detailing each grant allocation or discretionary grant
8 award totaling less than \$1,000,000 provided during the
9 previous quarter.

10 (3) The notification required by paragraph (1) and
11 the report required by paragraph (2) shall include the re-
12 cipient of the award, the amount of the award, the fiscal
13 year for which the funds for the award were appropriated,
14 the account and program, project, or activity from which
15 the funds are being drawn, the title of the award, and
16 a brief description of the activity for which the award is
17 made.

18 (c) The Department of Energy may not, with respect
19 to any program, project, or activity that uses budget au-
20 thority made available in this title under the heading “De-
21 partment of Energy—Energy Programs”, enter into a
22 multiyear contract, award a multiyear grant, or enter into
23 a multiyear cooperative agreement unless—

1 (1) the contract, grant, or cooperative agree-
2 ment is funded for the full period of performance as
3 anticipated at the time of award; or

4 (2) the contract, grant, or cooperative agree-
5 ment includes a clause conditioning the Federal Gov-
6 ernment's obligation on the availability of future
7 year budget authority and the Secretary notifies the
8 Committees on Appropriations of both Houses of
9 Congress at least 3 days in advance.

10 (d) Except as provided in subsections (e), (f), and (g),
11 the amounts made available by this title shall be expended
12 as authorized by law for the programs, projects, and ac-
13 tivities specified in the "Final Bill" column in the "De-
14 partment of Energy" table included under the heading
15 "Title III—Department of Energy" in the explanatory
16 statement described in section 4 (in the matter preceding
17 division A of this consolidated Act).

18 (e) The amounts made available by this title may be
19 reprogrammed for any program, project, or activity, and
20 the Department shall notify, and obtain the prior approval
21 of, the Committees on Appropriations of both Houses of
22 Congress at least 30 days prior to the use of any proposed
23 reprogramming that would cause any program, project, or
24 activity funding level to increase or decrease by more than

1 \$5,000,000 or 10 percent, whichever is less, during the
2 time period covered by this Act.

3 (f) None of the funds provided in this title shall be
4 available for obligation or expenditure through a re-
5 programming of funds that—

6 (1) creates, initiates, or eliminates a program,
7 project, or activity;

8 (2) increases funds or personnel for any pro-
9 gram, project, or activity for which funds are denied
10 or restricted by this Act; or

11 (3) reduces funds that are directed to be used
12 for a specific program, project, or activity by this
13 Act.

14 (g)(1) The Secretary of Energy may waive any re-
15 quirement or restriction in this section that applies to the
16 use of funds made available for the Department of Energy
17 if compliance with such requirement or restriction would
18 pose a substantial risk to human health, the environment,
19 welfare, or national security.

20 (2) The Secretary of Energy shall notify the Commit-
21 tees on Appropriations of both Houses of Congress of any
22 waiver under paragraph (1) as soon as practicable, but
23 not later than 3 days after the date of the activity to which
24 a requirement or restriction would otherwise have applied.

1 Such notice shall include an explanation of the substantial
2 risk under paragraph (1) that permitted such waiver.

3 (h) The unexpended balances of prior appropriations
4 provided for activities in this Act may be available to the
5 same appropriation accounts for such activities established
6 pursuant to this title. Available balances may be merged
7 with funds in the applicable established accounts and
8 thereafter may be accounted for as one fund for the same
9 time period as originally enacted.

10 SEC. 302. Funds appropriated by this or any other
11 Act, or made available by the transfer of funds in this
12 Act, for intelligence activities are deemed to be specifically
13 authorized by the Congress for purposes of section 504
14 of the National Security Act of 1947 (50 U.S.C. 3094)
15 during fiscal year 2020 until the enactment of the Intel-
16 ligence Authorization Act for fiscal year 2020.

17 SEC. 303. None of the funds made available in this
18 title shall be used for the construction of facilities classi-
19 fied as high-hazard nuclear facilities under 10 CFR Part
20 830 unless independent oversight is conducted by the Of-
21 fice of Enterprise Assessments to ensure the project is in
22 compliance with nuclear safety requirements.

23 SEC. 304. None of the funds made available in this
24 title may be used to approve critical decision-2 or critical
25 decision-3 under Department of Energy Order 413.3B, or

1 any successive departmental guidance, for construction
2 projects where the total project cost exceeds
3 \$100,000,000, until a separate independent cost estimate
4 has been developed for the project for that critical deci-
5 sion.

6 SEC. 305. (a) None of the funds made available in
7 this or any prior Act under the heading “Defense Nuclear
8 Nonproliferation” may be made available to enter into new
9 contracts with, or new agreements for Federal assistance
10 to, the Russian Federation.

11 (b) The Secretary of Energy may waive the prohibi-
12 tion in subsection (a) if the Secretary determines that
13 such activity is in the national security interests of the
14 United States. This waiver authority may not be dele-
15 gated.

16 (c) A waiver under subsection (b) shall not be effec-
17 tive until 15 days after the date on which the Secretary
18 submits to the Committees on Appropriations of both
19 Houses of Congress, in classified form if necessary, a re-
20 port on the justification for the waiver.

21 SEC. 306. Notwithstanding section 161 of the Energy
22 Policy and Conservation Act (42 U.S.C. 6241), upon a
23 determination by the President in this fiscal year that a
24 regional supply shortage of refined petroleum product of
25 significant scope and duration exists, that a severe in-

1 crease in the price of refined petroleum product will likely
2 result from such shortage, and that a draw down and sale
3 of refined petroleum product would assist directly and sig-
4 nificantly in reducing the adverse impact of such shortage,
5 the Secretary of Energy may draw down and sell refined
6 petroleum product from the Strategic Petroleum Reserve.
7 Proceeds from a sale under this section shall be deposited
8 into the SPR Petroleum Account established in section
9 167 of the Energy Policy and Conservation Act (42 U.S.C.
10 6247), and such amounts shall be available for obligation,
11 without fiscal year limitation, consistent with that section.

12 SEC. 307. Of the offsetting collections, including un-
13 obligated balances of such collections, in the “Department
14 of Energy—Power Marketing Administration—Colorado
15 River Basins Power Marketing Fund, Western Area
16 Power Administration”, \$21,400,000 shall be transferred
17 to the “Department of Interior—Bureau of Reclama-
18 tion—Upper Colorado River Basin Fund” for the Bureau
19 of Reclamation to carry out environmental stewardship
20 and endangered species recovery efforts.

21 SEC. 308. (a) Of the unobligated balances available
22 from amounts appropriated in prior Acts under the head-
23 ing “Title III—Department of Energy—Energy Pro-
24 grams”, \$12,723,000 is hereby rescinded.

1 (b) No amounts may be rescinded under (a) from
2 amounts that were designated by the Congress as an
3 emergency requirement pursuant to a concurrent resolu-
4 tion on the budget or the Balanced Budget and Emer-
5 gency Deficit Control Act of 1985.

6 SEC. 309. Beginning in fiscal year 2021 and for each
7 fiscal year thereafter, fees collected pursuant to subsection
8 (b)(1) of section 6939f of title 42, United States Code,
9 shall be deposited in “Department of Energy—Energy
10 Programs—Non-Defense Environmental Cleanup” as dis-
11 cretionary offsetting collections.

12 SEC. 310. During fiscal year 2020 and each fiscal
13 year thereafter, notwithstanding any provision of title 5,
14 United States Code, relating to classification or rates of
15 pay, the Southeastern Power Administration shall pay any
16 power system dispatcher employed by the Administration
17 a rate of basic pay and premium pay based on those pre-
18 vailing for similar occupations in the electric power indus-
19 try. Basic pay and premium pay may not be paid under
20 this section to any individual during a calendar year so
21 as to result in a total rate in excess of the rate of basic
22 pay for level V of the Executive Schedule (section 5316
23 of such title).

1 TITLE IV
2 INDEPENDENT AGENCIES
3 APPALACHIAN REGIONAL COMMISSION

4 For expenses necessary to carry out the programs au-
5 thorized by the Appalachian Regional Development Act of
6 1965, and for expenses necessary for the Federal Co-
7 Chairman and the Alternate on the Appalachian Regional
8 Commission, for payment of the Federal share of the ad-
9 ministrative expenses of the Commission, including serv-
10 ices as authorized by 5 U.S.C. 3109, and hire of passenger
11 motor vehicles, \$175,000,000, to remain available until ex-
12 pended.

13 DEFENSE NUCLEAR FACILITIES SAFETY BOARD
14 SALARIES AND EXPENSES

15 For expenses necessary for the Defense Nuclear Fa-
16 cilities Safety Board in carrying out activities authorized
17 by the Atomic Energy Act of 1954, as amended by Public
18 Law 100–456, section 1441, \$31,000,000, to remain
19 available until September 30, 2021.

20 DELTA REGIONAL AUTHORITY
21 SALARIES AND EXPENSES

22 For expenses necessary for the Delta Regional Au-
23 thority and to carry out its activities, as authorized by
24 the Delta Regional Authority Act of 2000, notwith-

1 standing sections 382F(d), 382M, and 382N of said Act,
2 \$30,000,000, to remain available until expended.

3 DENALI COMMISSION

4 For expenses necessary for the Denali Commission
5 including the purchase, construction, and acquisition of
6 plant and capital equipment as necessary and other ex-
7 penses, \$15,000,000, to remain available until expended,
8 notwithstanding the limitations contained in section
9 306(g) of the Denali Commission Act of 1998: *Provided*,
10 That funds shall be available for construction projects in
11 an amount not to exceed 80 percent of total project cost
12 for distressed communities, as defined by section 307 of
13 the Denali Commission Act of 1998 (division C, title III,
14 Public Law 105–277), as amended by section 701 of ap-
15 pendix D, title VII, Public Law 106–113 (113 Stat.
16 1501A–280), and an amount not to exceed 50 percent for
17 non-distressed communities: *Provided further*, That not-
18 withstanding any other provision of law regarding pay-
19 ment of a non-Federal share in connection with a grant-
20 in-aid program, amounts under this heading shall be avail-
21 able for the payment of such a non-Federal share for pro-
22 grams undertaken to carry out the purposes of the Com-
23 mission.

1 NORTHERN BORDER REGIONAL COMMISSION

2 For expenses necessary for the Northern Border Re-
3 gional Commission in carrying out activities authorized by
4 subtitle V of title 40, United States Code, \$25,000,000,
5 to remain available until expended: *Provided*, That such
6 amounts shall be available for administrative expenses,
7 notwithstanding section 15751(b) of title 40, United
8 States Code.

9 SOUTHEAST CRESCENT REGIONAL COMMISSION

10 For expenses necessary for the Southeast Crescent
11 Regional Commission in carrying out activities authorized
12 by subtitle V of title 40, United States Code, \$250,000,
13 to remain available until expended.

14 NUCLEAR REGULATORY COMMISSION

15 SALARIES AND EXPENSES

16 For expenses necessary for the Commission in car-
17 rying out the purposes of the Energy Reorganization Act
18 of 1974 and the Atomic Energy Act of 1954,
19 \$842,236,000, including official representation expenses
20 not to exceed \$25,000, to remain available until expended:
21 *Provided*, That of the amount appropriated herein, not
22 more than \$9,500,000 may be made available for salaries,
23 travel, and other support costs for the Office of the Com-
24 mission, to remain available until September 30, 2021, of
25 which, notwithstanding section 201(a)(2)(e) of the Energy

1 Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)),
2 the use and expenditure shall only be approved by a major-
3 ity vote of the Commission: *Provided further*, That reve-
4 nues from licensing fees, inspection services, and other
5 services and collections estimated at \$717,125,000 in fis-
6 cal year 2020 shall be retained and used for necessary
7 salaries and expenses in this account, notwithstanding 31
8 U.S.C. 3302, and shall remain available until expended:
9 *Provided further*, That of the amounts appropriated under
10 this heading, not less than \$15,478,000 shall be for activi-
11 ties related to the development of regulatory infrastruc-
12 ture for advanced nuclear technologies, and \$14,500,000
13 shall be for international activities, except that the
14 amounts provided under this proviso shall not be derived
15 from fee revenues, notwithstanding 42 U.S.C. 2214: *Pro-*
16 *vided further*, That the sum herein appropriated shall be
17 reduced by the amount of revenues received during fiscal
18 year 2020 so as to result in a final fiscal year 2020 appro-
19 priation estimated at not more than \$125,111,000: *Pro-*
20 *vided further*, That of the amounts appropriated under
21 this heading, \$10,500,000 shall be for university research
22 and development in areas relevant to the Commission's
23 mission, and \$5,500,000 shall be for a Nuclear Science
24 and Engineering Grant Program that will support
25 multiyear projects that do not align with programmatic

1 missions but are critical to maintaining the discipline of
2 nuclear science and engineering.

3 OFFICE OF INSPECTOR GENERAL

4 For expenses necessary for the Office of Inspector
5 General in carrying out the provisions of the Inspector
6 General Act of 1978, \$13,314,000, to remain available
7 until September 30, 2021: *Provided*, That revenues from
8 licensing fees, inspection services, and other services and
9 collections estimated at \$10,929,000 in fiscal year 2020
10 shall be retained and be available until September 30,
11 2021, for necessary salaries and expenses in this account,
12 notwithstanding section 3302 of title 31, United States
13 Code: *Provided further*, That the sum herein appropriated
14 shall be reduced by the amount of revenues received dur-
15 ing fiscal year 2020 so as to result in a final fiscal year
16 2020 appropriation estimated at not more than
17 \$2,385,000: *Provided further*, That of the amounts appro-
18 priated under this heading, \$1,171,000 shall be for In-
19 spector General services for the Defense Nuclear Facilities
20 Safety Board, which shall not be available from fee reve-
21 nues.

22 NUCLEAR WASTE TECHNICAL REVIEW BOARD

23 SALARIES AND EXPENSES

24 For expenses necessary for the Nuclear Waste Tech-
25 nical Review Board, as authorized by Public Law 100–

1 (2) The Nuclear Regulatory Commission shall notify
2 the Committees on Appropriations of both Houses of Con-
3 gress of any waiver under paragraph (1) as soon as prac-
4 ticable, but not later than 3 days after the date of the
5 activity to which a requirement or restriction would other-
6 wise have applied. Such notice shall include an explanation
7 of the substantial risk under paragraph (1) that permitted
8 such waiver and shall provide a detailed report to the
9 Committees of such waiver and changes to funding levels
10 to programs, projects, or activities.

11 (c) Except as provided in subsections (a), (b), and
12 (d), the amounts made available by this title for “Nuclear
13 Regulatory Commission—Salaries and Expenses” shall be
14 expended as directed in the explanatory statement de-
15 scribed in section 4 (in the matter preceding division A
16 of this consolidated Act).

17 (d) None of the funds provided for the Nuclear Regu-
18 latory Commission shall be available for obligation or ex-
19 penditure through a reprogramming of funds that in-
20 creases funds or personnel for any program, project, or
21 activity for which funds are denied or restricted by this
22 Act.

23 (e) The Commission shall provide a monthly report
24 to the Committees on Appropriations of both Houses of
25 Congress, which includes the following for each program,

1 project, or activity, including any prior year appropria-
2 tions—

- 3 (1) total budget authority;
- 4 (2) total unobligated balances; and
- 5 (3) total unliquidated obligations.

1 TITLE V
2 GENERAL PROVISIONS
3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 501. None of the funds appropriated by this Act
5 may be used in any way, directly or indirectly, to influence
6 congressional action on any legislation or appropriation
7 matters pending before Congress, other than to commu-
8 nicate to Members of Congress as described in 18 U.S.C.
9 1913.

10 SEC. 502. (a) None of the funds made available in
11 title III of this Act may be transferred to any department,
12 agency, or instrumentality of the United States Govern-
13 ment, except pursuant to a transfer made by or transfer
14 authority provided in this Act or any other appropriations
15 Act for any fiscal year, transfer authority referenced in
16 the explanatory statement described in section 4 (in the
17 matter preceding division A of this consolidated Act), or
18 any authority whereby a department, agency, or instru-
19 mentality of the United States Government may provide
20 goods or services to another department, agency, or in-
21 strumentality.

22 (b) None of the funds made available for any depart-
23 ment, agency, or instrumentality of the United States
24 Government may be transferred to accounts funded in title
25 III of this Act, except pursuant to a transfer made by or

1 transfer authority provided in this Act or any other appro-
2 priations Act for any fiscal year, transfer authority ref-
3 erenced in the explanatory statement described in section
4 4 (in the matter preceding division A of this consolidated
5 Act), or any authority whereby a department, agency, or
6 instrumentality of the United States Government may
7 provide goods or services to another department, agency,
8 or instrumentality.

9 (c) The head of any relevant department or agency
10 funded in this Act utilizing any transfer authority shall
11 submit to the Committees on Appropriations of both
12 Houses of Congress a semiannual report detailing the
13 transfer authorities, except for any authority whereby a
14 department, agency, or instrumentality of the United
15 States Government may provide goods or services to an-
16 other department, agency, or instrumentality, used in the
17 previous 6 months and in the year-to-date. This report
18 shall include the amounts transferred and the purposes
19 for which they were transferred, and shall not replace or
20 modify existing notification requirements for each author-
21 ity.

22 SEC. 503. None of the funds made available by this
23 Act may be used in contravention of Executive Order No.
24 12898 of February 11, 1994 (Federal Actions to Address

1 Environmental Justice in Minority Populations and Low-
2 Income Populations).

3 SEC. 504. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

7 (b) Nothing in subsection (a) shall limit the use of
8 funds necessary for any Federal, State, tribal, or local law
9 enforcement agency or any other entity carrying out crimi-
10 nal investigations, prosecution, or adjudication activities.

11 This division may be cited as the “Energy and Water
12 Development and Related Agencies Appropriations Act,
13 2020”.

1 **DIVISION D—DEPARTMENT OF THE INTE-**
2 **RIOR, ENVIRONMENT, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2020**

4 TITLE I

5 DEPARTMENT OF THE INTERIOR

6 BUREAU OF LAND MANAGEMENT

7 MANAGEMENT OF LANDS AND RESOURCES

8 (INCLUDING RESCISSION OF FUNDS)

9 For necessary expenses for protection, use, improve-
10 ment, development, disposal, cadastral surveying, classi-
11 fication, acquisition of easements and other interests in
12 lands, and performance of other functions, including main-
13 tenance of facilities, as authorized by law, in the manage-
14 ment of lands and their resources under the jurisdiction
15 of the Bureau of Land Management, including the general
16 administration of the Bureau, and assessment of mineral
17 potential of public lands pursuant to section 1010(a) of
18 Public Law 96–487 (16 U.S.C. 3150(a)), \$1,237,015,000,
19 to remain available until September 30, 2021; of which
20 \$115,000,000 for annual and deferred maintenance and
21 \$101,555,000 for the wild horse and burro program, as
22 authorized by Public Law 92–195 (16 U.S.C. 1331 et
23 sec.), shall remain available until expended: *Provided,*
24 That of the funds made available for the wild horse and
25 burro program, \$21,000,000 shall not be available for obli-

1 gation until 60 days after submission to the Congress of
2 the detailed plan described in the explanatory statement
3 described in section 4 (in the matter preceding division
4 A of this consolidated Act): *Provided further*, That
5 amounts in the fee account of the BLM Permit Processing
6 Improvement Fund may be used for any bureau-related
7 expenses associated with the processing of oil and gas ap-
8 plications for permits to drill and related use of authoriza-
9 tions.

10 In addition, \$40,196,000 is for Mining Law Adminis-
11 tration program operations, including the cost of admin-
12 istering the mining claim fee program, to remain available
13 until expended, to be reduced by amounts collected by the
14 Bureau and credited to this appropriation from mining
15 claim maintenance fees and location fees that are hereby
16 authorized for fiscal year 2020, so as to result in a final
17 appropriation estimated at not more than \$1,237,015,000,
18 and \$2,000,000, to remain available until expended, from
19 communication site rental fees established by the Bureau
20 for the cost of administering communication site activities.

21 Of the unobligated balances from amounts made
22 available under this heading in fiscal year 2017 or before,
23 \$19,000,000 is permanently rescinded: *Provided*, That no
24 amounts may be rescinded from amounts that were des-
25 ignated by the Congress as an emergency requirement

1 pursuant to the Concurrent Resolution on the Budget or
2 the Balanced Budget and Emergency Deficit Control Act
3 of 1985.

4 CONSTRUCTION

5 (INCLUDING RESCISSION OF FUNDS)

6 Of the unobligated balances from amounts made
7 available under this heading \$5,400,000 is permanently
8 rescinded: *Provided*, That no amounts may be rescinded
9 from amounts that were designated by the Congress as
10 an emergency requirement pursuant to the Concurrent
11 Resolution on the Budget or the Balanced Budget and
12 Emergency Deficit Control Act of 1985.

13 LAND ACQUISITION

14 (INCLUDING RESCISSION OF FUNDS)

15 For expenses necessary to carry out sections 205,
16 206, and 318(d) of Public Law 94–579, including admin-
17 istrative expenses and acquisition of lands or waters, or
18 interests therein, \$32,300,000, to be derived from the
19 Land and Water Conservation Fund and to remain avail-
20 able until expended.

21 Of the unobligated balances from amounts made
22 available for Land Acquisition and derived from the Land
23 and Water Conservation Fund, \$2,367,000 is hereby per-
24 manently rescinded from projects with cost savings or
25 failed or partially failed projects: *Provided*, That no

1 amounts may be rescinded from amounts that were des-
2 ignated by the Congress as an emergency requirement
3 pursuant to the Concurrent Resolution on the Budget or
4 the Balanced Budget and Emergency Deficit Control Act
5 of 1985.

6 OREGON AND CALIFORNIA GRANT LANDS

7 For expenses necessary for management, protection,
8 and development of resources and for construction, oper-
9 ation, and maintenance of access roads, reforestation, and
10 other improvements on the revested Oregon and California
11 Railroad grant lands, on other Federal lands in the Or-
12 egon and California land-grant counties of Oregon, and
13 on adjacent rights-of-way; and acquisition of lands or in-
14 terests therein, including existing connecting roads on or
15 adjacent to such grant lands; \$112,094,000, to remain
16 available until expended: *Provided*, That 25 percent of the
17 aggregate of all receipts during the current fiscal year
18 from the revested Oregon and California Railroad grant
19 lands is hereby made a charge against the Oregon and
20 California land-grant fund and shall be transferred to the
21 General Fund in the Treasury in accordance with the sec-
22 ond paragraph of subsection (b) of title II of the Act of
23 August 28, 1937 (43 U.S.C. 2605).

1 RANGE IMPROVEMENTS

2 For rehabilitation, protection, and acquisition of
3 lands and interests therein, and improvement of Federal
4 rangelands pursuant to section 401 of the Federal Land
5 Policy and Management Act of 1976 (43 U.S.C. 1751),
6 notwithstanding any other Act, sums equal to 50 percent
7 of all moneys received during the prior fiscal year under
8 sections 3 and 15 of the Taylor Grazing Act (43 U.S.C.
9 315b, 315m) and the amount designated for range im-
10 provements from grazing fees and mineral leasing receipts
11 from Bankhead-Jones lands transferred to the Depart-
12 ment of the Interior pursuant to law, but not less than
13 \$10,000,000, to remain available until expended: *Pro-*
14 *vided*, That not to exceed \$600,000 shall be available for
15 administrative expenses.

16 SERVICE CHARGES, DEPOSITS, AND FORFEITURES

17 For administrative expenses and other costs related
18 to processing application documents and other authoriza-
19 tions for use and disposal of public lands and resources,
20 for costs of providing copies of official public land docu-
21 ments, for monitoring construction, operation, and termi-
22 nation of facilities in conjunction with use authorizations,
23 and for rehabilitation of damaged property, such amounts
24 as may be collected under Public Law 94–579 (43 U.S.C.
25 1701 et seq.), and under section 28 of the Mineral Leasing

1 Act (30 U.S.C. 185), to remain available until expended:
2 *Provided*, That notwithstanding any provision to the con-
3 trary of section 305(a) of Public Law 94–579 (43 U.S.C.
4 1735(a)), any moneys that have been or will be received
5 pursuant to that section, whether as a result of forfeiture,
6 compromise, or settlement, if not appropriate for refund
7 pursuant to section 305(c) of that Act (43 U.S.C.
8 1735(c)), shall be available and may be expended under
9 the authority of this Act by the Secretary to improve, pro-
10 tect, or rehabilitate any public lands administered through
11 the Bureau of Land Management which have been dam-
12 aged by the action of a resource developer, purchaser, per-
13 mittee, or any unauthorized person, without regard to
14 whether all moneys collected from each such action are
15 used on the exact lands damaged which led to the action:
16 *Provided further*, That any such moneys that are in excess
17 of amounts needed to repair damage to the exact land for
18 which funds were collected may be used to repair other
19 damaged public lands.

20 MISCELLANEOUS TRUST FUNDS

21 In addition to amounts authorized to be expended
22 under existing laws, there is hereby appropriated such
23 amounts as may be contributed under section 307 of Pub-
24 lic Law 94–579 (43 U.S.C. 1737), and such amounts as
25 may be advanced for administrative costs, surveys, ap-

1 praisals, and costs of making conveyances of omitted lands
2 under section 211(b) of that Act (43 U.S.C. 1721(b)), to
3 remain available until expended.

4 ADMINISTRATIVE PROVISIONS

5 The Bureau of Land Management may carry out the
6 operations funded under this Act by direct expenditure,
7 contracts, grants, cooperative agreements and reimburs-
8 able agreements with public and private entities, including
9 with States. Appropriations for the Bureau shall be avail-
10 able for purchase, erection, and dismantlement of tem-
11 porary structures, and alteration and maintenance of nec-
12 essary buildings and appurtenant facilities to which the
13 United States has title; up to \$100,000 for payments, at
14 the discretion of the Secretary, for information or evidence
15 concerning violations of laws administered by the Bureau;
16 miscellaneous and emergency expenses of enforcement ac-
17 tivities authorized or approved by the Secretary and to be
18 accounted for solely on the Secretary's certificate, not to
19 exceed \$10,000: *Provided*, That notwithstanding Public
20 Law 90–620 (44 U.S.C. 501), the Bureau may, under co-
21 operative cost-sharing and partnership arrangements au-
22 thorized by law, procure printing services from cooperators
23 in connection with jointly produced publications for which
24 the cooperators share the cost of printing either in cash
25 or in services, and the Bureau determines the cooperator

1 is capable of meeting accepted quality standards: *Provided*
2 *further*, That projects to be funded pursuant to a written
3 commitment by a State government to provide an identi-
4 fied amount of money in support of the project may be
5 carried out by the Bureau on a reimbursable basis.

6 UNITED STATES FISH AND WILDLIFE SERVICE

7 RESOURCE MANAGEMENT

8 For necessary expenses of the United States Fish and
9 Wildlife Service, as authorized by law, and for scientific
10 and economic studies, general administration, and for the
11 performance of other authorized functions related to such
12 resources, \$1,364,289,000, to remain available until Sep-
13 tember 30, 2021: *Provided*, That not to exceed
14 \$20,318,000 shall be used for implementing subsections
15 (a), (b), (c), and (e) of section 4 of the Endangered Spe-
16 cies Act of 1973 (16 U.S.C. 1533) (except for processing
17 petitions, developing and issuing proposed and final regu-
18 lations, and taking any other steps to implement actions
19 described in subsection (c)(2)(A), (c)(2)(B)(i), or
20 (c)(2)(B)(ii)): *Provided further*, That of the amounts made
21 available under this heading for central office operations,
22 \$1,000,000 shall not be available for obligation until the
23 Landscape Conservation Cooperatives report is received by
24 the Committees on Appropriations of the House of Rep-
25 resentatives and the Senate in accordance with the explan-

1 atory statement described in section 4 (in the matter pre-
2 ceding division A of this consolidated Act).

3 CONSTRUCTION

4 For construction, improvement, acquisition, or re-
5 moval of buildings and other facilities required in the con-
6 servation, management, investigation, protection, and uti-
7 lization of fish and wildlife resources, and the acquisition
8 of lands and interests therein; \$29,704,000, to remain
9 available until expended.

10 LAND ACQUISITION

11 (INCLUDING RESCISSION OF FUNDS)

12 For expenses necessary to carry out chapter 2003 of
13 title 54, United States Code, including administrative ex-
14 penses, and for acquisition of land or waters, or interest
15 therein, in accordance with statutory authority applicable
16 to the United States Fish and Wildlife Service,
17 \$70,715,000, to be derived from the Land and Water Con-
18 servation Fund and to remain available until expended,
19 of which, not more than \$10,000,000 shall be for land con-
20 servation partnerships authorized by the Highlands Con-
21 servation Act of 2004, including not to exceed \$320,000
22 for administrative expenses: *Provided*, That none of the
23 funds appropriated for specific land acquisition projects
24 may be used to pay for any administrative overhead, plan-
25 ning or other management costs.

1 from amounts that were designated by the Congress as
2 an emergency requirement pursuant to the Concurrent
3 Resolution on the Budget or the Balanced Budget and
4 Emergency Deficit Control Act of 1985.

5 NATIONAL WILDLIFE REFUGE FUND

6 For expenses necessary to implement the Act of Octo-
7 ber 17, 1978 (16 U.S.C. 715s), \$13,228,000.

8 NORTH AMERICAN WETLANDS CONSERVATION FUND

9 For expenses necessary to carry out the provisions
10 of the North American Wetlands Conservation Act (16
11 U.S.C. 4401 et seq.), \$46,000,000, to remain available
12 until expended.

13 NEOTROPICAL MIGRATORY BIRD CONSERVATION

14 For expenses necessary to carry out the Neotropical
15 Migratory Bird Conservation Act (16 U.S.C. 6101 et
16 seq.), \$4,910,000, to remain available until expended.

17 MULTINATIONAL SPECIES CONSERVATION FUND

18 For expenses necessary to carry out the African Ele-
19 phant Conservation Act (16 U.S.C. 4201 et seq.), the
20 Asian Elephant Conservation Act of 1997 (16 U.S.C.
21 4261 et seq.), the Rhinoceros and Tiger Conservation Act
22 of 1994 (16 U.S.C. 5301 et seq.), the Great Ape Con-
23 servation Act of 2000 (16 U.S.C. 6301 et seq.), and the
24 Marine Turtle Conservation Act of 2004 (16 U.S.C. 6601
25 et seq.), \$15,000,000, to remain available until expended.

1 STATE AND TRIBAL WILDLIFE GRANTS

2 For wildlife conservation grants to States and to the
3 District of Columbia, Puerto Rico, Guam, the United
4 States Virgin Islands, the Northern Mariana Islands,
5 American Samoa, and Indian tribes under the provisions
6 of the Fish and Wildlife Act of 1956 and the Fish and
7 Wildlife Coordination Act, for the development and imple-
8 mentation of programs for the benefit of wildlife and their
9 habitat, including species that are not hunted or fished,
10 \$67,571,000, to remain available until expended: *Pro-*
11 *vided*, That of the amount provided herein, \$5,209,000 is
12 for a competitive grant program for Indian tribes not sub-
13 ject to the remaining provisions of this appropriation: *Pro-*
14 *vided further*, That \$7,362,000 is for a competitive grant
15 program to implement approved plans for States, terri-
16 tories, and other jurisdictions and at the discretion of af-
17 fected States, the regional Associations of fish and wildlife
18 agencies, not subject to the remaining provisions of this
19 appropriation: *Provided further*, That the Secretary shall,
20 after deducting \$12,571,000 and administrative expenses,
21 apportion the amount provided herein in the following
22 manner: (1) to the District of Columbia and to the Com-
23 monwealth of Puerto Rico, each a sum equal to not more
24 than one-half of 1 percent thereof; and (2) to Guam,
25 American Samoa, the United States Virgin Islands, and

1 the Commonwealth of the Northern Mariana Islands, each
2 a sum equal to not more than one-fourth of 1 percent
3 thereof: *Provided further*, That the Secretary shall appor-
4 tion the remaining amount in the following manner: (1)
5 one-third of which is based on the ratio to which the land
6 area of such State bears to the total land area of all such
7 States; and (2) two-thirds of which is based on the ratio
8 to which the population of such State bears to the total
9 population of all such States: *Provided further*, That the
10 amounts apportioned under this paragraph shall be ad-
11 justed equitably so that no State shall be apportioned a
12 sum which is less than 1 percent of the amount available
13 for apportionment under this paragraph for any fiscal year
14 or more than 5 percent of such amount: *Provided further*,
15 That the Federal share of planning grants shall not exceed
16 75 percent of the total costs of such projects and the Fed-
17 eral share of implementation grants shall not exceed 65
18 percent of the total costs of such projects: *Provided fur-*
19 *ther*, That the non-Federal share of such projects may not
20 be derived from Federal grant programs: *Provided further*,
21 That any amount apportioned in 2020 to any State, terri-
22 tory, or other jurisdiction that remains unobligated as of
23 September 30, 2021, shall be reapportioned, together with
24 funds appropriated in 2022, in the manner provided here-
25 in.

1 ADMINISTRATIVE PROVISIONS

2 The United States Fish and Wildlife Service may
3 carry out the operations of Service programs by direct ex-
4 penditure, contracts, grants, cooperative agreements and
5 reimbursable agreements with public and private entities.
6 Appropriations and funds available to the United States
7 Fish and Wildlife Service shall be available for repair of
8 damage to public roads within and adjacent to reservation
9 areas caused by operations of the Service; options for the
10 purchase of land at not to exceed \$1 for each option; facili-
11 ties incident to such public recreational uses on conserva-
12 tion areas as are consistent with their primary purpose;
13 and the maintenance and improvement of aquaria, build-
14 ings, and other facilities under the jurisdiction of the Serv-
15 ice and to which the United States has title, and which
16 are used pursuant to law in connection with management,
17 and investigation of fish and wildlife resources: *Provided*,
18 That notwithstanding 44 U.S.C. 501, the Service may,
19 under cooperative cost sharing and partnership arrange-
20 ments authorized by law, procure printing services from
21 cooperators in connection with jointly produced publica-
22 tions for which the cooperators share at least one-half the
23 cost of printing either in cash or services and the Service
24 determines the cooperator is capable of meeting accepted
25 quality standards: *Provided further*, That the Service may

1 accept donated aircraft as replacements for existing air-
2 craft: *Provided further*, That notwithstanding 31 U.S.C.
3 3302, all fees collected for non-toxic shot review and ap-
4 proval shall be deposited under the heading “United
5 States Fish and Wildlife Service—Resource Management”
6 and shall be available to the Secretary, without further
7 appropriation, to be used for expenses of processing of
8 such non-toxic shot type or coating applications and revis-
9 ing regulations as necessary, and shall remain available
10 until expended.

11 NATIONAL PARK SERVICE

12 OPERATION OF THE NATIONAL PARK SYSTEM

13 For expenses necessary for the management, oper-
14 ation, and maintenance of areas and facilities adminis-
15 tered by the National Park Service and for the general
16 administration of the National Park Service,
17 \$2,576,992,000, of which \$10,282,000 for planning and
18 interagency coordination in support of Everglades restora-
19 tion and \$135,950,000 for maintenance, repair, or reha-
20 bilitation projects for constructed assets and
21 \$153,575,000 for cyclic maintenance projects for con-
22 structed assets and cultural resources and \$5,000,000 for
23 uses authorized by section 101122 of title 54, United
24 States Code shall remain available until September 30,
25 2021: *Provided*, That funds appropriated under this head-

1 ing in this Act are available for the purposes of section
2 5 of Public Law 95–348: *Provided further*, That notwith-
3 standing section 9(a) of the United States
4 Semiquincentennial Commission Act of 2016 (Public Law
5 114–196; 130 Stat. 691), \$3,300,000 of the funds made
6 available under this heading shall be provided to the orga-
7 nization selected under section 9(b) of that Act for ex-
8 penditure by the United States Semiquincentennial Com-
9 mission in accordance with that Act: *Provided further*,
10 That notwithstanding section 9 of the 400 Years of Afri-
11 can-American History Commission Act (36 U.S.C. note
12 prec. 101; Public Law 115–102), \$3,300,000 of the funds
13 provided under this heading shall be made available for
14 the purposes specified by that Act: *Provided further*, That
15 sections (7)(b) and (8) of that Act shall be amended by
16 striking “July 1, 2020” and inserting “July 1, 2021”.

17 NATIONAL RECREATION AND PRESERVATION

18 For expenses necessary to carry out recreation pro-
19 grams, natural programs, cultural programs, heritage
20 partnership programs, environmental compliance and re-
21 view, international park affairs, and grant administration,
22 not otherwise provided for, \$71,166,000.

23 HISTORIC PRESERVATION FUND

24 For expenses necessary in carrying out the National
25 Historic Preservation Act (division A of subtitle III of title

1 54, United States Code), \$118,660,000, to be derived
2 from the Historic Preservation Fund and to remain avail-
3 able until September 30, 2021, of which \$16,000,000 shall
4 be for Save America’s Treasures grants for preservation
5 of national significant sites, structures and artifacts as au-
6 thorized by section 7303 of the Omnibus Public Land
7 Management Act of 2009 (54 U.S.C. 3089): *Provided*,
8 That an individual Save America’s Treasures grant shall
9 be matched by non-Federal funds: *Provided further*, That
10 individual projects shall only be eligible for one grant: *Pro-*
11 *vided further*, That all projects to be funded shall be ap-
12 proved by the Secretary of the Interior in consultation
13 with the House and Senate Committees on Appropria-
14 tions: *Provided further*, That of the funds provided for the
15 Historic Preservation Fund, \$750,000 is for competitive
16 grants for the survey and nomination of properties to the
17 National Register of Historic Places and as National His-
18 toric Landmarks associated with communities currently
19 under-represented, as determined by the Secretary,
20 \$18,750,000 is for competitive grants to preserve the sites
21 and stories of the Civil Rights movement, \$10,000,000 is
22 for grants to Historically Black Colleges and Universities,
23 and \$7,500,000 is for competitive grants for the restora-
24 tion of historic properties of national, State and local sig-
25 nificance listed on or eligible for inclusion on the National

1 Register of Historic Places, to be made without imposing
2 the usage or direct grant restrictions of section 101(e)(3)
3 (54 U.S.C. 302904) of the National Historical Preserva-
4 tion Act: *Provided further*, That such competitive grants
5 shall be made without imposing the matching require-
6 ments in section 302902(b)(3) of title 54, United States
7 Code, to States and Indian tribes as defined in chapter
8 3003 of such title, Native Hawaiian organizations, local
9 governments, including Certified Local Governments, and
10 non-profit organizations.

11 CONSTRUCTION

12 For construction, improvements, repair, or replace-
13 ment of physical facilities, and compliance and planning
14 for programs and areas administered by the National
15 Park Service, \$389,345,000, to remain available until ex-
16 pended: *Provided*, That notwithstanding any other provi-
17 sion of law, for any project initially funded in fiscal year
18 2020 with a future phase indicated in the National Park
19 Service 5-Year Line Item Construction Plan, a single pro-
20 curement may be issued which includes the full scope of
21 the project: *Provided further*, That the solicitation and
22 contract shall contain the clause availability of funds
23 found at 48 CFR 52.232–18: *Provided further*, That Na-
24 tional Park Service Donations, Park Concessions Fran-
25 chise Fees, and Recreation Fees may be made available

1 for the cost of adjustments and changes within the origi-
2 nal scope of effort for projects funded by the National
3 Park Service Construction appropriation: *Provided further*,
4 That the Secretary of the Interior shall consult with the
5 Committees on Appropriations, in accordance with current
6 reprogramming thresholds, prior to making any charges
7 authorized by this section.

8 LAND ACQUISITION AND STATE ASSISTANCE

9 (INCLUDING RESCISSION OF FUNDS)

10 For expenses necessary to carry out chapter 2003 of
11 title 54, United States Code, including administrative ex-
12 penses, and for acquisition of lands or waters, or interest
13 therein, in accordance with the statutory authority appli-
14 cable to the National Park Service, \$208,400,000, to be
15 derived from the Land and Water Conservation Fund and
16 to remain available until expended, of which \$140,000,000
17 is for the State assistance program and of which
18 \$13,000,000 shall be for the American Battlefield Protec-
19 tion Program grants as authorized by chapter 3081 of title
20 54, United States Code.

21 Of the unobligated balances from amounts made
22 available for the National Park Service and derived from
23 the Land and Water Conservation Fund, \$2,279,000 is
24 hereby permanently rescinded from projects or from other
25 grant programs with an unobligated carry over balance:

1 anticipated franchise fee receipts over the term of the con-
2 tract at that unit exceed the amount of funds used to ex-
3 tinguish or reduce liability. Franchise fees at the benefit-
4 ting unit shall be credited to the sub-account of the origi-
5 nating unit over a period not to exceed the term of a single
6 contract at the benefitting unit, in the amount of funds
7 so expended to extinguish or reduce liability.

8 For the costs of administration of the Land and
9 Water Conservation Fund grants authorized by section
10 105(a)(2)(B) of the Gulf of Mexico Energy Security Act
11 of 2006 (Public Law 109–432), the National Park Service
12 may retain up to 3 percent of the amounts which are au-
13 thorized to be disbursed under such section, such retained
14 amounts to remain available until expended.

15 National Park Service funds may be transferred to
16 the Federal Highway Administration (FHWA), Depart-
17 ment of Transportation, for purposes authorized under 23
18 U.S.C. 203. Transfers may include a reasonable amount
19 for FHWA administrative support costs.

20 UNITED STATES GEOLOGICAL SURVEY

21 SURVEYS, INVESTIGATIONS, AND RESEARCH

22 For expenses necessary for the United States Geo-
23 logical Survey to perform surveys, investigations, and re-
24 search covering topography, geology, hydrology, biology,
25 and the mineral and water resources of the United States,

1 its territories and possessions, and other areas as author-
2 ized by 43 U.S.C. 31, 1332, and 1340; classify lands as
3 to their mineral and water resources; give engineering su-
4 pervision to power permittees and Federal Energy Regu-
5 latory Commission licensees; administer the minerals ex-
6 ploration program (30 U.S.C. 641); conduct inquiries into
7 the economic conditions affecting mining and materials
8 processing industries (30 U.S.C. 3, 21a, and 1603; 50
9 U.S.C. 98g(1)) and related purposes as authorized by law;
10 and to publish and disseminate data relative to the fore-
11 going activities; \$1,270,957,000, to remain available until
12 September 30, 2021; of which \$84,337,000 shall remain
13 available until expended for satellite operations; and of
14 which \$76,164,000 shall be available until expended for
15 deferred maintenance and capital improvement projects
16 that exceed \$100,000 in cost: *Provided*, That none of the
17 funds provided for the ecosystem research activity shall
18 be used to conduct new surveys on private property, unless
19 specifically authorized in writing by the property owner:
20 *Provided further*, That no part of this appropriation shall
21 be used to pay more than one-half the cost of topographic
22 mapping or water resources data collection and investiga-
23 tions carried on in cooperation with States and municipali-
24 ties.

1 ADMINISTRATIVE PROVISIONS

2 From within the amount appropriated for activities
3 of the United States Geological Survey such sums as are
4 necessary shall be available for contracting for the fur-
5 nishing of topographic maps and for the making of geo-
6 physical or other specialized surveys when it is administra-
7 tively determined that such procedures are in the public
8 interest; construction and maintenance of necessary build-
9 ings and appurtenant facilities; acquisition of lands for
10 gauging stations, observation wells, and seismic equip-
11 ment; expenses of the United States National Committee
12 for Geological Sciences; and payment of compensation and
13 expenses of persons employed by the Survey duly ap-
14 pointed to represent the United States in the negotiation
15 and administration of interstate compacts: *Provided*, That
16 activities funded by appropriations herein made may be
17 accomplished through the use of contracts, grants, or co-
18 operative agreements as defined in section 6302 of title
19 31, United States Code: *Provided further*, That the United
20 States Geological Survey may enter into contracts or coop-
21 erative agreements directly with individuals or indirectly
22 with institutions or nonprofit organizations, without re-
23 gard to 41 U.S.C. 6101, for the temporary or intermittent
24 services of students or recent graduates, who shall be con-
25 sidered employees for the purpose of chapters 57 and 81

1 of title 5, United States Code, relating to compensation
2 for travel and work injuries, and chapter 171 of title 28,
3 United States Code, relating to tort claims, but shall not
4 be considered to be Federal employees for any other pur-
5 poses.

6 BUREAU OF OCEAN ENERGY MANAGEMENT

7 OCEAN ENERGY MANAGEMENT

8 For expenses necessary for granting and admin-
9 istering leases, easements, rights-of-way and agreements
10 for use for oil and gas, other minerals, energy, and ma-
11 rine-related purposes on the Outer Continental Shelf and
12 approving operations related thereto, as authorized by law;
13 for environmental studies, as authorized by law; for imple-
14 menting other laws and to the extent provided by Presi-
15 dential or Secretarial delegation; and for matching grants
16 or cooperative agreements, \$191,611,000, of which
17 \$131,611,000 is to remain available until September 30,
18 2021, and of which \$60,000,000 is to remain available
19 until expended: *Provided*, That this total appropriation
20 shall be reduced by amounts collected by the Secretary
21 and credited to this appropriation from additions to re-
22 ceipts resulting from increases to lease rental rates in ef-
23 fect on August 5, 1993, and from cost recovery fees from
24 activities conducted by the Bureau of Ocean Energy Man-
25 agement pursuant to the Outer Continental Shelf Lands

1 Act, including studies, assessments, analysis, and miscella-
2 neous administrative activities: *Provided further*, That the
3 sum herein appropriated shall be reduced as such collec-
4 tions are received during the fiscal year, so as to result
5 in a final fiscal year 2020 appropriation estimated at not
6 more than \$131,611,000: *Provided further*, That not to
7 exceed \$3,000 shall be available for reasonable expenses
8 related to promoting volunteer beach and marine cleanup
9 activities.

10 BUREAU OF SAFETY AND ENVIRONMENTAL
11 ENFORCEMENT
12 OFFSHORE SAFETY AND ENVIRONMENTAL ENFORCEMENT
13 (INCLUDING RESCISSION OF FUNDS)

14 For expenses necessary for the regulation of oper-
15 ations related to leases, easements, rights-of-way and
16 agreements for use for oil and gas, other minerals, energy,
17 and marine-related purposes on the Outer Continental
18 Shelf, as authorized by law; for enforcing and imple-
19 menting laws and regulations as authorized by law and
20 to the extent provided by Presidential or Secretarial dele-
21 gation; and for matching grants or cooperative agree-
22 ments, \$149,333,000, of which \$123,333,000 is to remain
23 available until September 30, 2021, and of which
24 \$26,000,000 is to remain available until expended: *Pro-*
25 *vided*, That this total appropriation shall be reduced by

1 amounts collected by the Secretary and credited to this
2 appropriation from additions to receipts resulting from in-
3 creases to lease rental rates in effect on August 5, 1993,
4 and from cost recovery fees from activities conducted by
5 the Bureau of Safety and Environmental Enforcement
6 pursuant to the Outer Continental Shelf Lands Act, in-
7 cluding studies, assessments, analysis, and miscellaneous
8 administrative activities: *Provided further*, That the sum
9 herein appropriated shall be reduced as such collections
10 are received during the fiscal year, so as to result in a
11 final fiscal year 2020 appropriation estimated at not more
12 than \$123,333,000: *Provided further*, That of the unobli-
13 gated balances from amounts made available under this
14 heading \$4,788,000 is permanently rescinded: *Provided*
15 *further*, That no amounts may be rescinded from amounts
16 that were designated by the Congress as an emergency re-
17 quirement pursuant to the Concurrent Resolution on the
18 Budget or the Balanced Budget and Emergency Deficit
19 Control Act of 1985.

20 For an additional amount, \$43,479,000, to remain
21 available until expended, to be reduced by amounts col-
22 lected by the Secretary and credited to this appropriation,
23 which shall be derived from non-refundable inspection fees
24 collected in fiscal year 2020, as provided in this Act: *Pro-*
25 *vided*, That to the extent that amounts realized from such

1 inspection fees exceed \$43,479,000, the amounts realized
2 in excess of \$43,479,000 shall be credited to this appro-
3 priation and remain available until expended: *Provided*
4 *further*, That for fiscal year 2020, not less than 50 percent
5 of the inspection fees expended by the Bureau of Safety
6 and Environmental Enforcement will be used to fund per-
7 sonnel and mission-related costs to expand capacity and
8 expedite the orderly development, subject to environmental
9 safeguards, of the Outer Continental Shelf pursuant to the
10 Outer Continental Shelf Lands Act (43 U.S.C. 1331 et
11 seq.), including the review of applications for permits to
12 drill.

13 OIL SPILL RESEARCH

14 For necessary expenses to carry out title I, section
15 1016, title IV, sections 4202 and 4303, title VII, and title
16 VIII, section 8201 of the Oil Pollution Act of 1990,
17 \$14,899,000, which shall be derived from the Oil Spill Li-
18 ability Trust Fund, to remain available until expended.

19 OFFICE OF SURFACE MINING RECLAMATION AND

20 ENFORCEMENT

21 REGULATION AND TECHNOLOGY

22 For necessary expenses to carry out the provisions
23 of the Surface Mining Control and Reclamation Act of
24 1977, Public Law 95–87, \$117,768,000, to remain avail-
25 able until September 30, 2021: *Provided*, That appropria-

1 tions for the Office of Surface Mining Reclamation and
2 Enforcement may provide for the travel and per diem ex-
3 penses of State and tribal personnel attending Office of
4 Surface Mining Reclamation and Enforcement sponsored
5 training.

6 In addition, for costs to review, administer, and en-
7 force permits issued by the Office pursuant to section 507
8 of Public Law 95–87 (30 U.S.C. 1257), \$40,000, to re-
9 main available until expended: *Provided*, That fees as-
10 sessed and collected by the Office pursuant to such section
11 507 shall be credited to this account as discretionary off-
12 setting collections, to remain available until expended:
13 *Provided further*, That the sum herein appropriated from
14 the general fund shall be reduced as collections are re-
15 ceived during the fiscal year, so as to result in a fiscal
16 year 2020 appropriation estimated at not more than
17 \$117,768,000.

18 ABANDONED MINE RECLAMATION FUND

19 For necessary expenses to carry out title IV of the
20 Surface Mining Control and Reclamation Act of 1977,
21 Public Law 95–87, \$24,713,000, to be derived from re-
22 ceipts of the Abandoned Mine Reclamation Fund and to
23 remain available until expended: *Provided*, That pursuant
24 to Public Law 97–365, the Department of the Interior is
25 authorized to use up to 20 percent from the recovery of

1 the delinquent debt owed to the United States Government
2 to pay for contracts to collect these debts: *Provided fur-*
3 *ther*, That funds made available under title IV of Public
4 Law 95–87 may be used for any required non-Federal
5 share of the cost of projects funded by the Federal Gov-
6 ernment for the purpose of environmental restoration re-
7 lated to treatment or abatement of acid mine drainage
8 from abandoned mines: *Provided further*, That such
9 projects must be consistent with the purposes and prior-
10 ities of the Surface Mining Control and Reclamation Act:
11 *Provided further*, That amounts provided under this head-
12 ing may be used for the travel and per diem expenses of
13 State and tribal personnel attending Office of Surface
14 Mining Reclamation and Enforcement sponsored training.

15 In addition, \$115,000,000, to remain available until
16 expended, for grants to States and federally recognized In-
17 dian Tribes for reclamation of abandoned mine lands and
18 other related activities in accordance with the terms and
19 conditions described in the explanatory statement de-
20 scribed in section 4 (in the matter preceding division A
21 of this consolidated Act): *Provided*, That such additional
22 amount shall be used for economic and community devel-
23 opment in conjunction with the priorities in section 403(a)
24 of the Surface Mining Control and Reclamation Act of
25 1977 (30 U.S.C. 1233(a)): *Provided further*, That of such

1 additional amount, \$75,000,000 shall be distributed in
2 equal amounts to the 3 Appalachian States with the great-
3 est amount of unfunded needs to meet the priorities de-
4 scribed in paragraphs (1) and (2) of such section,
5 \$30,000,000 shall be distributed in equal amounts to the
6 3 Appalachian States with the subsequent greatest
7 amount of unfunded needs to meet such priorities, and
8 \$10,000,000 shall be for grants to federally recognized In-
9 dian Tribes without regard to their status as certified or
10 uncertified under the Surface Mining Control and Rec-
11 lamation Act of 1977 (30 U.S.C. 1233(a)), for reclama-
12 tion of abandoned mine lands and other related activities
13 in accordance with the terms and conditions described in
14 the explanatory statement described in section 4 (in the
15 matter preceding division A of this consolidated Act) and
16 shall be used for economic and community development
17 in conjunction with the priorities in section 403(a) of the
18 Surface Mining Control and Reclamation Act of 1977:
19 *Provided further*, That such additional amount shall be al-
20 located to States and Indian Tribes within 60 days after
21 the date of enactment of this Act.

1 INDIAN AFFAIRS
2 BUREAU OF INDIAN AFFAIRS
3 OPERATION OF INDIAN PROGRAMS
4 (INCLUDING TRANSFERS OF FUNDS)

5 For expenses necessary for the operation of Indian
6 programs, as authorized by law, including the Snyder Act
7 of November 2, 1921 (25 U.S.C. 13), the Indian Self-De-
8 termination and Education Assistance Act of 1975 (25
9 U.S.C. 5301 et seq.), \$1,577,110,000, to remain available
10 until September 30, 2021, except as otherwise provided
11 herein; of which not to exceed \$8,500 may be for official
12 reception and representation expenses; of which not to ex-
13 ceed \$74,734,000 shall be for welfare assistance pay-
14 ments: *Provided*, That in cases of designated Federal dis-
15 asters, the Secretary may exceed such cap for welfare pay-
16 ments from the amounts provided herein, to provide for
17 disaster relief to Indian communities affected by the dis-
18 aster: *Provided further*, That federally recognized Indian
19 tribes and tribal organizations of federally recognized In-
20 dian tribes may use their tribal priority allocations for
21 unmet welfare assistance costs: *Provided further*, That not
22 to exceed \$57,424,000 shall remain available until ex-
23 pended for housing improvement, road maintenance, at-
24 torney fees, litigation support, land records improvement,
25 and the Navajo-Hopi Settlement Program: *Provided fur-*

1 *ther*, That any forestry funds allocated to a federally rec-
2 ognized tribe which remain unobligated as of September
3 30, 2021, may be transferred during fiscal year 2022 to
4 an Indian forest land assistance account established for
5 the benefit of the holder of the funds within the holder's
6 trust fund account: *Provided further*, That any such unob-
7 ligated balances not so transferred shall expire on Sep-
8 tember 30, 2022: *Provided further*, That in order to en-
9 hance the safety of Bureau field employees, the Bureau
10 may use funds to purchase uniforms or other identifying
11 articles of clothing for personnel: *Provided further*, That
12 the Bureau of Indian Affairs may accept transfers of
13 funds from United States Customs and Border Protection
14 to supplement any other funding available for reconstruc-
15 tion or repair of roads owned by the Bureau of Indian
16 Affairs as identified on the National Tribal Transpor-
17 tation Facility Inventory, 23 U.S.C. 202(b)(1).

18 CONTRACT SUPPORT COSTS

19 For payments to tribes and tribal organizations for
20 contract support costs associated with Indian Self-Deter-
21 mination and Education Assistance Act agreements with
22 the Bureau of Indian Affairs and the Bureau of Indian
23 Education for fiscal year 2020, such sums as may be nec-
24 essary, which shall be available for obligation through Sep-
25 tember 30, 2021: *Provided*, That notwithstanding any

1 other provision of law, no amounts made available under
2 this heading shall be available for transfer to another
3 budget account.

4 CONSTRUCTION

5 (INCLUDING TRANSFERS AND RESCISSION OF FUNDS)

6 For construction, repair, improvement, and mainte-
7 nance of irrigation and power systems, buildings, utilities,
8 and other facilities, including architectural and engineer-
9 ing services by contract; acquisition of lands, and interests
10 in lands; and preparation of lands for farming, and for
11 construction of the Navajo Indian Irrigation Project pur-
12 suant to Public Law 87-483; \$128,591,000, to remain
13 available until expended: *Provided*, That such amounts as
14 may be available for the construction of the Navajo Indian
15 Irrigation Project may be transferred to the Bureau of
16 Reclamation: *Provided further*, That any funds provided
17 for the Safety of Dams program pursuant to the Act of
18 November 2, 1921 (25 U.S.C. 13), shall be made available
19 on a nonreimbursable basis: *Provided further*, That this
20 appropriation may be reimbursed from the Office of the
21 Special Trustee for American Indians appropriation for
22 the appropriate share of construction costs for space ex-
23 pansion needed in agency offices to meet trust reform im-
24 plementation: *Provided further*, That of the funds made
25 available under this heading, \$10,000,000 shall be derived

1 from the Indian Irrigation Fund established by section
2 3211 of the WIIN Act (Public Law 114–322; 130 Stat.
3 1749).

4 Of the unobligated balances made available for the
5 “Construction, Resources Management” account,
6 \$2,000,000 is permanently rescinded: *Provided*, That no
7 amounts may be rescinded from amounts that were des-
8 ignated by the Congress as an emergency requirement
9 pursuant to the Concurrent Resolution on the Budget or
10 the Balanced Budget and Emergency Deficit Control Act
11 of 1985.

12 INDIAN LAND AND WATER CLAIM SETTLEMENTS AND
13 MISCELLANEOUS PAYMENTS TO INDIANS

14 For payments and necessary administrative expenses
15 for implementation of Indian land and water claim settle-
16 ments pursuant to Public Laws 99–264, 100–580, 101–
17 618, 111–11, 111–291, and 114–322, and for implemen-
18 tation of other land and water rights settlements,
19 \$45,644,000, to remain available until expended.

20 INDIAN GUARANTEED LOAN PROGRAM ACCOUNT

21 For the cost of guaranteed loans and insured loans,
22 \$11,779,000, of which \$1,590,000 is for administrative
23 expenses, as authorized by the Indian Financing Act of
24 1974: *Provided*, That such costs, including the cost of
25 modifying such loans, shall be as defined in section 502

1 of the Congressional Budget Act of 1974: *Provided fur-*
2 *ther*, That these funds are available to subsidize total loan
3 principal, any part of which is to be guaranteed or insured,
4 not to exceed \$183,476,740.

5 BUREAU OF INDIAN EDUCATION
6 OPERATION OF INDIAN EDUCATION PROGRAMS
7 (INCLUDING TRANSFERS OF FUNDS)

8 For expenses necessary for the operation of Indian
9 education programs, as authorized by law, including the
10 Snyder Act of November 2, 1921 (25 U.S.C. 13), the In-
11 dian Self-Determination and Education Assistance Act of
12 1975 (25 U.S.C. 5301 et seq.), the Education Amend-
13 ments of 1978 (25 U.S.C. 2001–2019), and the Tribally
14 Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.),
15 \$943,077,000, to remain available until September 30,
16 2021, except as otherwise provided herein: *Provided*, That
17 Federally recognized Indian tribes and tribal organizations
18 of Federally recognized Indian tribes may use their tribal
19 priority allocations for unmet welfare assistance costs:
20 *Provided further*, That not to exceed \$702,837,000 for
21 school operations costs of Bureau-funded schools and
22 other education programs shall become available on July
23 1, 2020, and shall remain available until September 30,
24 2021: *Provided further*, That notwithstanding any other
25 provision of law, including but not limited to the Indian

1 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.)
2 and section 1128 of the Education Amendments of 1978
3 (25 U.S.C. 2008), not to exceed \$83,407,000 within and
4 only from such amounts made available for school oper-
5 ations shall be available for administrative cost grants as-
6 sociated with grants approved prior to July 1, 2020: *Pro-*
7 *vided further*, That in order to enhance the safety of Bu-
8 reau field employees, the Bureau may use funds to pur-
9 chase uniforms or other identifying articles of clothing for
10 personnel.

11 EDUCATION CONSTRUCTION

12 For construction, repair, improvement, and mainte-
13 nance of buildings, utilities, and other facilities necessary
14 for the operation of Indian education programs, including
15 architectural and engineering services by contract; acquisi-
16 tion of lands, and interests in lands; \$248,257,000 to re-
17 main available until expended: *Provided*, That in order to
18 ensure timely completion of construction projects, the Sec-
19 retary may assume control of a project and all funds re-
20 lated to the project, if, not later than 18 months after
21 the date of the enactment of this Act, any Public Law
22 100–297 (25 U.S.C. 2501, et seq.) grantee receiving funds
23 appropriated in this Act or in any prior Act, has not com-
24 pleted the planning and design phase of the project and
25 commenced construction.

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFERS OF FUNDS)

3 The Bureau of Indian Affairs and the Bureau of In-
4 dian Education may carry out the operation of Indian pro-
5 grams by direct expenditure, contracts, cooperative agree-
6 ments, compacts, and grants, either directly or in coopera-
7 tion with States and other organizations.

8 Notwithstanding Public Law 87–279 (25 U.S.C. 15),
9 the Bureau of Indian Affairs may contract for services in
10 support of the management, operation, and maintenance
11 of the Power Division of the San Carlos Irrigation Project.

12 Notwithstanding any other provision of law, no funds
13 available to the Bureau of Indian Affairs or the Bureau
14 of Indian Education for central office oversight and Exec-
15 utive Direction and Administrative Services (except execu-
16 tive direction and administrative services funding for Trib-
17 al Priority Allocations, regional offices, and facilities oper-
18 ations and maintenance) shall be available for contracts,
19 grants, compacts, or cooperative agreements with the Bu-
20 reau of Indian Affairs or the Bureau of Indian Education
21 under the provisions of the Indian Self-Determination Act
22 or the Tribal Self-Governance Act of 1994 (Public Law
23 103–413).

24 In the event any tribe returns appropriations made
25 available by this Act to the Bureau of Indian Affairs or

1 the Bureau of Indian Education, this action shall not di-
2 minish the Federal Government's trust responsibility to
3 that tribe, or the government-to-government relationship
4 between the United States and that tribe, or that tribe's
5 ability to access future appropriations.

6 Notwithstanding any other provision of law, no funds
7 available to the Bureau of Indian Education, other than
8 the amounts provided herein for assistance to public
9 schools under 25 U.S.C. 452 et seq., shall be available to
10 support the operation of any elementary or secondary
11 school in the State of Alaska.

12 No funds available to the Bureau of Indian Edu-
13 cation shall be used to support expanded grades for any
14 school or dormitory beyond the grade structure in place
15 or approved by the Secretary of the Interior at each school
16 in the Bureau of Indian Education school system as of
17 October 1, 1995, except that the Secretary of the Interior
18 may waive this prohibition to support expansion of up to
19 one additional grade when the Secretary determines such
20 waiver is needed to support accomplishment of the mission
21 of the Bureau of Indian Education, or more than one
22 grade to expand the elementary grade structure for Bu-
23 reau-funded schools with a K-2 grade structure on Octo-
24 ber 1, 1996. Appropriations made available in this or any
25 prior Act for schools funded by the Bureau shall be avail-

1 able, in accordance with the Bureau's funding formula,
2 only to the schools in the Bureau school system as of Sep-
3 tember 1, 1996, and to any school or school program that
4 was reinstated in fiscal year 2012. Funds made available
5 under this Act may not be used to establish a charter
6 school at a Bureau-funded school (as that term is defined
7 in section 1141 of the Education Amendments of 1978
8 (25 U.S.C. 2021)), except that a charter school that is
9 in existence on the date of the enactment of this Act and
10 that has operated at a Bureau-funded school before Sep-
11 tember 1, 1999, may continue to operate during that pe-
12 riod, but only if the charter school pays to the Bureau
13 a pro rata share of funds to reimburse the Bureau for
14 the use of the real and personal property (including buses
15 and vans), the funds of the charter school are kept sepa-
16 rate and apart from Bureau funds, and the Bureau does
17 not assume any obligation for charter school programs of
18 the State in which the school is located if the charter
19 school loses such funding. Employees of Bureau-funded
20 schools sharing a campus with a charter school and per-
21 forming functions related to the charter school's operation
22 and employees of a charter school shall not be treated as
23 Federal employees for purposes of chapter 171 of title 28,
24 United States Code.

1 Notwithstanding any other provision of law, including
2 section 113 of title I of appendix C of Public Law 106–
3 113, if in fiscal year 2003 or 2004 a grantee received indi-
4 rect and administrative costs pursuant to a distribution
5 formula based on section 5(f) of Public Law 101–301, the
6 Secretary shall continue to distribute indirect and admin-
7 istrative cost funds to such grantee using the section 5(f)
8 distribution formula.

9 Funds available under this Act may not be used to
10 establish satellite locations of schools in the Bureau school
11 system as of September 1, 1996, except that the Secretary
12 may waive this prohibition in order for an Indian tribe
13 to provide language and cultural immersion educational
14 programs for non-public schools located within the juris-
15 dictional area of the tribal government which exclusively
16 serve tribal members, do not include grades beyond those
17 currently served at the existing Bureau-funded school,
18 provide an educational environment with educator pres-
19 ence and academic facilities comparable to the Bureau-
20 funded school, comply with all applicable Tribal, Federal,
21 or State health and safety standards, and the Americans
22 with Disabilities Act, and demonstrate the benefits of es-
23 tablishing operations at a satellite location in lieu of incur-
24 ring extraordinary costs, such as for transportation or
25 other impacts to students such as those caused by busing

1 students extended distances: *Provided*, That no funds
2 available under this Act may be used to fund operations,
3 maintenance, rehabilitation, construction or other facili-
4 ties-related costs for such assets that are not owned by
5 the Bureau: *Provided further*, That the term “satellite
6 school” means a school location physically separated from
7 the existing Bureau school by more than 50 miles but that
8 forms part of the existing school in all other respects.

9 Funds made available for Tribal Priority Allocations
10 within Operation of Indian Programs and Operation of In-
11 dian Education Programs may be used to execute re-
12 quested adjustments in tribal priority allocations initiated
13 by an Indian Tribe.

14 DEPARTMENTAL OFFICES

15 OFFICE OF THE SECRETARY

16 DEPARTMENTAL OPERATIONS

17 (INCLUDING TRANSFER OF FUNDS)

18 For necessary expenses for management of the De-
19 partment of the Interior and for grants and cooperative
20 agreements, as authorized by law, \$131,832,000, to re-
21 main available until September 30, 2021; of which no less
22 than \$1,000,000 shall be for the hiring of additional per-
23 sonnel to assist the Department with its compliance re-
24 sponsibilities under 5 U.S.C. 552; of which not to exceed
25 \$15,000 may be for official reception and representation

1 expenses; and of which up to \$1,000,000 shall be available
2 for workers compensation payments and unemployment
3 compensation payments associated with the orderly clo-
4 sure of the United States Bureau of Mines; and of which
5 \$10,000,000 for the Appraisal and Valuation Services Of-
6 fice is to be derived from the Land and Water Conserva-
7 tion Fund and shall remain available until expended; and
8 of which \$11,061,000 for Indian land, mineral, and re-
9 source valuation activities shall remain available until ex-
10 pended: *Provided*, That funds for Indian land, mineral,
11 and resource valuation activities may, as needed, be trans-
12 ferred to and merged with the Bureau of Indian Affairs
13 “Operation of Indian Programs” and Bureau of Indian
14 Education “Operation of Indian Education Programs” ac-
15 counts and the Office of the Special Trustee for American
16 Indians “Federal Trust Programs” account: *Provided fur-*
17 *ther*, That funds made available through contracts or
18 grants obligated during fiscal year 2020, as authorized by
19 the Indian Self-Determination Act of 1975 (25 U.S.C.
20 5301 et seq.), shall remain available until expended by the
21 contractor or grantee.

22 ADMINISTRATIVE PROVISIONS

23 For fiscal year 2020, up to \$400,000 of the payments
24 authorized by chapter 69 of title 31, United States Code,
25 may be retained for administrative expenses of the Pay-

1 ments in Lieu of Taxes Program: *Provided*, That the
2 amounts provided under this Act specifically for the Pay-
3 ments in Lieu of Taxes program are the only amounts
4 available for payments authorized under chapter 69 of
5 title 31, United States Code: *Provided further*, That in the
6 event the sums appropriated for any fiscal year for pay-
7 ments pursuant to this chapter are insufficient to make
8 the full payments authorized by that chapter to all units
9 of local government, then the payment to each local gov-
10 ernment shall be made proportionally: *Provided further*,
11 That the Secretary may make adjustments to payment to
12 individual units of local government to correct for prior
13 overpayments or underpayments: *Provided further*, That
14 no payment shall be made pursuant to that chapter to oth-
15 erwise eligible units of local government if the computed
16 amount of the payment is less than \$100.

17 INSULAR AFFAIRS

18 ASSISTANCE TO TERRITORIES

19 For expenses necessary for assistance to territories
20 under the jurisdiction of the Department of the Interior
21 and other jurisdictions identified in section 104(e) of Pub-
22 lic Law 108–188, \$102,881,000, of which: (1)
23 \$93,390,000 shall remain available until expended for ter-
24 ritorial assistance, including general technical assistance,
25 maintenance assistance, disaster assistance, coral reef ini-

1 tiative and natural resources activities, and brown tree
2 snake control and research; grants to the judiciary in
3 American Samoa for compensation and expenses, as au-
4 thorized by law (48 U.S.C. 1661(c)); grants to the Govern-
5 ment of American Samoa, in addition to current local rev-
6 enues, for construction and support of governmental func-
7 tions; grants to the Government of the Virgin Islands, as
8 authorized by law; grants to the Government of Guam,
9 as authorized by law; and grants to the Government of
10 the Northern Mariana Islands, as authorized by law (Pub-
11 lic Law 94–241; 90 Stat. 272); and (2) \$9,491,000 shall
12 be available until September 30, 2021, for salaries and
13 expenses of the Office of Insular Affairs: *Provided*, That
14 all financial transactions of the territorial and local gov-
15 ernments herein provided for, including such transactions
16 of all agencies or instrumentalities established or used by
17 such governments, may be audited by the Government Ac-
18 countability Office, at its discretion, in accordance with
19 chapter 35 of title 31, United States Code: *Provided fur-*
20 *ther*, That Northern Mariana Islands Covenant grant
21 funding shall be provided according to those terms of the
22 Agreement of the Special Representatives on Future
23 United States Financial Assistance for the Northern Mar-
24 iana Islands approved by Public Law 104–134: *Provided*
25 *further*, That the funds for the program of operations and

1 maintenance improvement are appropriated to institu-
2 tionalize routine operations and maintenance improvement
3 of capital infrastructure with territorial participation and
4 cost sharing to be determined by the Secretary based on
5 the grantee's commitment to timely maintenance of its
6 capital assets: *Provided further*, That any appropriation
7 for disaster assistance under this heading in this Act or
8 previous appropriations Acts may be used as non-Federal
9 matching funds for the purpose of hazard mitigation
10 grants provided pursuant to section 404 of the Robert T.
11 Stafford Disaster Relief and Emergency Assistance Act
12 (42 U.S.C. 5170c).

13 COMPACT OF FREE ASSOCIATION

14 For grants and necessary expenses, \$8,463,000, to
15 remain available until expended, as provided for in sec-
16 tions 221(a)(2) and 233 of the Compact of Free Associa-
17 tion for the Republic of Palau; and section 221(a)(2) of
18 the Compacts of Free Association for the Government of
19 the Republic of the Marshall Islands and the Federated
20 States of Micronesia, as authorized by Public Law 99-
21 658 and Public Law 108-188: *Provided*, That of the funds
22 appropriated under this heading, \$5,000,000 is for deposit
23 into the Compact Trust Fund of the Republic of the Mar-
24 shall Islands as compensation authorized by Public Law
25 108-188 for adverse financial and economic impacts.

1 ADMINISTRATIVE PROVISIONS
2 (INCLUDING TRANSFER OF FUNDS)

3 At the request of the Governor of Guam, the Sec-
4 retary may transfer discretionary funds or mandatory
5 funds provided under section 104(e) of Public Law 108–
6 188 and Public Law 104–134, that are allocated for
7 Guam, to the Secretary of Agriculture for the subsidy cost
8 of direct or guaranteed loans, plus not to exceed three per-
9 cent of the amount of the subsidy transferred for the cost
10 of loan administration, for the purposes authorized by the
11 Rural Electrification Act of 1936 and section 306(a)(1)
12 of the Consolidated Farm and Rural Development Act for
13 construction and repair projects in Guam, and such funds
14 shall remain available until expended: *Provided*, That such
15 costs, including the cost of modifying such loans, shall be
16 as defined in section 502 of the Congressional Budget Act
17 of 1974: *Provided further*, That such loans or loan guaran-
18 tees may be made without regard to the population of the
19 area, credit elsewhere requirements, and restrictions on
20 the types of eligible entities under the Rural Electrifica-
21 tion Act of 1936 and section 306(a)(1) of the Consolidated
22 Farm and Rural Development Act: *Provided further*, That
23 any funds transferred to the Secretary of Agriculture shall
24 be in addition to funds otherwise made available to make
25 or guarantee loans under such authorities.

1 OFFICE OF THE SOLICITOR

2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of the Solicitor,
4 \$66,816,000.

5 OFFICE OF INSPECTOR GENERAL

6 SALARIES AND EXPENSES

7 For necessary expenses of the Office of Inspector
8 General, \$55,986,000, to remain available until September
9 30, 2021.

10 OFFICE OF THE SPECIAL TRUSTEE FOR AMERICAN

11 INDIANS

12 FEDERAL TRUST PROGRAMS

13 (INCLUDING TRANSFER AND RESCISSION OF FUNDS)

14 For the operation of trust programs for Indians by
15 direct expenditure, contracts, cooperative agreements,
16 compacts, and grants, \$111,540,000, to remain available
17 until expended, of which not to exceed \$19,016,000 from
18 this or any other Act, may be available for historical ac-
19 counting: *Provided*, That funds for trust management im-
20 provements and litigation support may, as needed, be
21 transferred to or merged with the Bureau of Indian Af-
22 fairs, “Operation of Indian Programs” and Bureau of In-
23 dian Education, “Operation of Indian Education Pro-
24 grams” accounts; the Office of the Solicitor, “Salaries and
25 Expenses” account; and the Office of the Secretary, “De-

1 partmental Operations” account: *Provided further*, That
2 funds made available through contracts or grants obli-
3 gated during fiscal year 2020, as authorized by the Indian
4 Self-Determination Act of 1975 (25 U.S.C. 5301 et seq.),
5 shall remain available until expended by the contractor or
6 grantee: *Provided further*, That notwithstanding any other
7 provision of law, the Secretary shall not be required to
8 provide a quarterly statement of performance for any In-
9 dian trust account that has not had activity for at least
10 15 months and has a balance of \$15 or less: *Provided fur-*
11 *ther*, That the Secretary shall issue an annual account
12 statement and maintain a record of any such accounts and
13 shall permit the balance in each such account to be with-
14 drawn upon the express written request of the account
15 holder: *Provided further*, That not to exceed \$50,000 is
16 available for the Secretary to make payments to correct
17 administrative errors of either disbursements from or de-
18 posits to Individual Indian Money or Tribal accounts after
19 September 30, 2002: *Provided further*, That erroneous
20 payments that are recovered shall be credited to and re-
21 main available in this account for this purpose: *Provided*
22 *further*, That the Secretary shall not be required to re-
23 concile Special Deposit Accounts with a balance of less than
24 \$500 unless the Office of the Special Trustee receives
25 proof of ownership from a Special Deposit Accounts claim-

1 ant: *Provided further*, That notwithstanding section 102
2 of the American Indian Trust Fund Management Reform
3 Act of 1994 (Public Law 103–412) or any other provision
4 of law, the Secretary may aggregate the trust accounts
5 of individuals whose whereabouts are unknown for a con-
6 tinuous period of at least five years and shall not be re-
7 quired to generate periodic statements of performance for
8 the individual accounts: *Provided further*, That with re-
9 spect to the eighth proviso, the Secretary shall continue
10 to maintain sufficient records to determine the balance of
11 the individual accounts, including any accrued interest and
12 income, and such funds shall remain available to the indi-
13 vidual account holders.

14 Of the unobligated balances from amounts made
15 available for the Office of the Special Trustee for Amer-
16 ican Indians, \$3,000,000 is permanently rescinded: *Pro-*
17 *vided*, That no amounts may be rescinded from amounts
18 that were designated by the Congress as an emergency re-
19 quirement pursuant to the Concurrent Resolution on the
20 Budget or the Balanced Budget and Emergency Deficit
21 Control Act of 1985.

1 DEPARTMENT-WIDE PROGRAMS

2 WILDLAND FIRE MANAGEMENT

3 (INCLUDING TRANSFERS OF FUNDS)

4 For necessary expenses for fire preparedness, fire
5 suppression operations, fire science and research, emer-
6 gency rehabilitation, fuels management activities, and
7 rural fire assistance by the Department of the Interior,
8 \$952,338,000, to remain available until expended, of
9 which not to exceed \$18,427,000 shall be for the renova-
10 tion or construction of fire facilities: *Provided*, That such
11 funds are also available for repayment of advances to
12 other appropriation accounts from which funds were pre-
13 viously transferred for such purposes: *Provided further*,
14 That of the funds provided \$194,000,000 is for fuels man-
15 agement activities: *Provided further*, That of the funds
16 provided \$20,470,000 is for burned area rehabilitation:
17 *Provided further*, That persons hired pursuant to 43
18 U.S.C. 1469 may be furnished subsistence and lodging
19 without cost from funds available from this appropriation:
20 *Provided further*, That notwithstanding 42 U.S.C. 1856d,
21 sums received by a bureau or office of the Department
22 of the Interior for fire protection rendered pursuant to 42
23 U.S.C. 1856 et seq., protection of United States property,
24 may be credited to the appropriation from which funds
25 were expended to provide that protection, and are avail-

1 able without fiscal year limitation: *Provided further*, That
2 using the amounts designated under this title of this Act,
3 the Secretary of the Interior may enter into procurement
4 contracts, grants, or cooperative agreements, for fuels
5 management activities, and for training and monitoring
6 associated with such fuels management activities on Fed-
7 eral land, or on adjacent non-Federal land for activities
8 that benefit resources on Federal land: *Provided further*,
9 That the costs of implementing any cooperative agreement
10 between the Federal Government and any non-Federal en-
11 tity may be shared, as mutually agreed on by the affected
12 parties: *Provided further*, That notwithstanding require-
13 ments of the Competition in Contracting Act, the Sec-
14 retary, for purposes of fuels management activities, may
15 obtain maximum practicable competition among: (1) local
16 private, nonprofit, or cooperative entities; (2) Youth Con-
17 servation Corps crews, Public Lands Corps (Public Law
18 109–154), or related partnerships with State, local, or
19 nonprofit youth groups; (3) small or micro-businesses; or
20 (4) other entities that will hire or train locally a significant
21 percentage, defined as 50 percent or more, of the project
22 workforce to complete such contracts: *Provided further*,
23 That in implementing this section, the Secretary shall de-
24 velop written guidance to field units to ensure account-
25 ability and consistent application of the authorities pro-

1 vided herein: *Provided further*, That funds appropriated
2 under this heading may be used to reimburse the United
3 States Fish and Wildlife Service and the National Marine
4 Fisheries Service for the costs of carrying out their re-
5 sponsibilities under the Endangered Species Act of 1973
6 (16 U.S.C. 1531 et seq.) to consult and conference, as
7 required by section 7 of such Act, in connection with
8 wildland fire management activities: *Provided further*,
9 That the Secretary of the Interior may use wildland fire
10 appropriations to enter into leases of real property with
11 local governments, at or below fair market value, to con-
12 struct capitalized improvements for fire facilities on such
13 leased properties, including but not limited to fire guard
14 stations, retardant stations, and other initial attack and
15 fire support facilities, and to make advance payments for
16 any such lease or for construction activity associated with
17 the lease: *Provided further*, That the Secretary of the Inte-
18 rior and the Secretary of Agriculture may authorize the
19 transfer of funds appropriated for wildland fire manage-
20 ment, in an aggregate amount not to exceed \$50,000,000
21 between the Departments when such transfers would fa-
22 cilitate and expedite wildland fire management programs
23 and projects: *Provided further*, That funds provided for
24 wildfire suppression shall be available for support of Fed-
25 eral emergency response actions: *Provided further*, That

1 funds appropriated under this heading shall be available
2 for assistance to or through the Department of State in
3 connection with forest and rangeland research, technical
4 information, and assistance in foreign countries, and, with
5 the concurrence of the Secretary of State, shall be avail-
6 able to support forestry, wildland fire management, and
7 related natural resource activities outside the United
8 States and its territories and possessions, including tech-
9 nical assistance, education and training, and cooperation
10 with United States and international organizations: *Pro-*
11 *vided further*, That of the funds provided under this head-
12 ing \$383,657,000 is provided to meet the terms of section
13 251(b)(2)(F)(ii)(I) of the Balanced Budget and Emer-
14 gency Deficit Control Act of 1985, as amended.

15 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND

16 (INCLUDING TRANSFERS OF FUNDS)

17 In addition to the amounts provided under the head-
18 ing “Department of the Interior—Department-Wide Pro-
19 grams—Wildland Fire Management” for wildfire suppres-
20 sion operations, \$300,000,000, to remain available until
21 transferred, is additional new budget authority as speci-
22 fied for purposes of section 251(b)(2)(F) of the Balanced
23 Budget and Emergency Deficit Control Act of 1985: *Pro-*
24 *vided*, That such amounts may be transferred to and
25 merged with amounts made available under the headings

1 “Department of Agriculture—Forest Service—Wildland
2 Fire Management” and “Department of the Interior—De-
3 partment-Wide Programs—Wildland Fire Management”
4 for wildfire suppression operations in the fiscal year in
5 which such amounts are transferred: *Provided further*,
6 That amounts may be transferred to the “Wildland Fire
7 Management” accounts in the Department of Agriculture
8 or the Department of the Interior only upon the notifica-
9 tion of the House and Senate Committees on Appropria-
10 tions that all wildfire suppression operations funds appro-
11 priated under that heading in this and prior appropria-
12 tions Acts to the agency to which the funds will be trans-
13 ferred will be obligated within 30 days: *Provided further*,
14 That the transfer authority provided under this heading
15 is in addition to any other transfer authority provided by
16 law.

17 CENTRAL HAZARDOUS MATERIALS FUND

18 For necessary expenses of the Department of the In-
19 terior and any of its component offices and bureaus for
20 the response action, including associated activities, per-
21 formed pursuant to the Comprehensive Environmental Re-
22 sponse, Compensation, and Liability Act (42 U.S.C. 9601
23 et seq.), \$10,010,000, to remain available until expended.

24 For an additional amount for a competitive grant
25 program to fund radium decontamination and remediation

1 at any land-grant university that has been subjected to
2 such contamination as a result of actions of the former
3 United States Bureau of Mines, \$12,000,000.

4 NATURAL RESOURCE DAMAGE ASSESSMENT AND
5 RESTORATION
6 NATURAL RESOURCE DAMAGE ASSESSMENT FUND

7 To conduct natural resource damage assessment, res-
8 toration activities, and onshore oil spill preparedness by
9 the Department of the Interior necessary to carry out the
10 provisions of the Comprehensive Environmental Response,
11 Compensation, and Liability Act (42 U.S.C. 9601 et seq.),
12 the Federal Water Pollution Control Act (33 U.S.C. 1251
13 et seq.), the Oil Pollution Act of 1990 (33 U.S.C. 2701
14 et seq.), and 54 U.S.C. 100721 et seq., \$7,767,000, to
15 remain available until expended.

16 WORKING CAPITAL FUND

17 For the operation and maintenance of a departmental
18 financial and business management system, information
19 technology improvements of general benefit to the Depart-
20 ment, cybersecurity, and the consolidation of facilities and
21 operations throughout the Department, \$55,735,000, to
22 remain available until expended: *Provided*, That none of
23 the funds appropriated in this Act or any other Act may
24 be used to establish reserves in the Working Capital Fund
25 account other than for accrued annual leave and deprecia-

1 tion of equipment without prior approval of the Commit-
2 tees on Appropriations of the House of Representatives
3 and the Senate: *Provided further*, That the Secretary may
4 assess reasonable charges to State, local and tribal govern-
5 ment employees for training services provided by the Na-
6 tional Indian Program Training Center, other than train-
7 ing related to Public Law 93–638: *Provided further*, That
8 the Secretary may lease or otherwise provide space and
9 related facilities, equipment or professional services of the
10 National Indian Program Training Center to State, local
11 and tribal government employees or persons or organiza-
12 tions engaged in cultural, educational, or recreational ac-
13 tivities (as defined in section 3306(a) of title 40, United
14 States Code) at the prevailing rate for similar space, facili-
15 ties, equipment, or services in the vicinity of the National
16 Indian Program Training Center: *Provided further*, That
17 all funds received pursuant to the two preceding provisos
18 shall be credited to this account, shall be available until
19 expended, and shall be used by the Secretary for necessary
20 expenses of the National Indian Program Training Center:
21 *Provided further*, That the Secretary may enter into grants
22 and cooperative agreements to support the Office of Nat-
23 ural Resource Revenue’s collection and disbursement of
24 royalties, fees, and other mineral revenue proceeds, as au-
25 thorized by law.

1 ADMINISTRATIVE PROVISION

2 There is hereby authorized for acquisition from avail-
3 able resources within the Working Capital Fund, aircraft
4 which may be obtained by donation, purchase or through
5 available excess surplus property: *Provided*, That existing
6 aircraft being replaced may be sold, with proceeds derived
7 or trade-in value used to offset the purchase price for the
8 replacement aircraft.

9 OFFICE OF NATURAL RESOURCES REVENUE

10 For necessary expenses for management of the collec-
11 tion and disbursement of royalties, fees, and other mineral
12 revenue proceeds, and for grants and cooperative agree-
13 ments, as authorized by law, \$147,330,000, to remain
14 available until September 30, 2021; of which \$50,651,000
15 shall remain available until expended for the purpose of
16 mineral revenue management activities: *Provided*, That
17 notwithstanding any other provision of law, \$15,000 shall
18 be available for refunds of overpayments in connection
19 with certain Indian leases in which the Secretary con-
20 curred with the claimed refund due, to pay amounts owed
21 to Indian allottees or tribes, or to correct prior unrecover-
22 able erroneous payments.

1 GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR
2 (INCLUDING TRANSFERS OF FUNDS)

3 EMERGENCY TRANSFER AUTHORITY—INTRA-BUREAU

4 SEC. 101. Appropriations made in this title shall be
5 available for expenditure or transfer (within each bureau
6 or office), with the approval of the Secretary, for the emer-
7 gency reconstruction, replacement, or repair of aircraft,
8 buildings, utilities, or other facilities or equipment dam-
9 aged or destroyed by fire, flood, storm, or other unavoid-
10 able causes: *Provided*, That no funds shall be made avail-
11 able under this authority until funds specifically made
12 available to the Department of the Interior for emer-
13 gencies shall have been exhausted: *Provided further*, That
14 all funds used pursuant to this section must be replenished
15 by a supplemental appropriation, which must be requested
16 as promptly as possible.

17 EMERGENCY TRANSFER AUTHORITY—DEPARTMENT-WIDE

18 SEC. 102. The Secretary may authorize the expendi-
19 ture or transfer of any no year appropriation in this title,
20 in addition to the amounts included in the budget pro-
21 grams of the several agencies, for the suppression or emer-
22 gency prevention of wildland fires on or threatening lands
23 under the jurisdiction of the Department of the Interior;
24 for the emergency rehabilitation of burned-over lands
25 under its jurisdiction; for emergency actions related to po-

1 tential or actual earthquakes, floods, volcanoes, storms, or
2 other unavoidable causes; for contingency planning subse-
3 quent to actual oil spills; for response and natural resource
4 damage assessment activities related to actual oil spills or
5 releases of hazardous substances into the environment; for
6 the prevention, suppression, and control of actual or po-
7 tential grasshopper and Mormon cricket outbreaks on
8 lands under the jurisdiction of the Secretary, pursuant to
9 the authority in section 417(b) of Public Law 106–224
10 (7 U.S.C. 7717(b)); for emergency reclamation projects
11 under section 410 of Public Law 95–87; and shall trans-
12 fer, from any no year funds available to the Office of Sur-
13 face Mining Reclamation and Enforcement, such funds as
14 may be necessary to permit assumption of regulatory au-
15 thority in the event a primacy State is not carrying out
16 the regulatory provisions of the Surface Mining Act: *Pro-*
17 *vided*, That appropriations made in this title for wildland
18 fire operations shall be available for the payment of obliga-
19 tions incurred during the preceding fiscal year, and for
20 reimbursement to other Federal agencies for destruction
21 of vehicles, aircraft, or other equipment in connection with
22 their use for wildland fire operations, with such reimburse-
23 ment to be credited to appropriations currently available
24 at the time of receipt thereof: *Provided further*, That for
25 wildland fire operations, no funds shall be made available

1 under this authority until the Secretary determines that
2 funds appropriated for “wildland fire suppression” shall
3 be exhausted within 30 days: *Provided further*, That all
4 funds used pursuant to this section must be replenished
5 by a supplemental appropriation, which must be requested
6 as promptly as possible: *Provided further*, That such re-
7 plenishment funds shall be used to reimburse, on a pro
8 rata basis, accounts from which emergency funds were
9 transferred.

10 AUTHORIZED USE OF FUNDS

11 SEC. 103. Appropriations made to the Department
12 of the Interior in this title shall be available for services
13 as authorized by section 3109 of title 5, United States
14 Code, when authorized by the Secretary, in total amount
15 not to exceed \$500,000; purchase and replacement of
16 motor vehicles, including specially equipped law enforce-
17 ment vehicles; hire, maintenance, and operation of air-
18 craft; hire of passenger motor vehicles; purchase of re-
19 prints; payment for telephone service in private residences
20 in the field, when authorized under regulations approved
21 by the Secretary; and the payment of dues, when author-
22 ized by the Secretary, for library membership in societies
23 or associations which issue publications to members only
24 or at a price to members lower than to subscribers who
25 are not members.

1 percent in fiscal year 2020. Under circumstances of dual
2 enrollment, overlapping service areas or inaccurate dis-
3 tribution methodologies, the 10 percent limitation does not
4 apply.

5 ELLIS, GOVERNORS, AND LIBERTY ISLANDS

6 SEC. 106. Notwithstanding any other provision of
7 law, the Secretary of the Interior is authorized to acquire
8 lands, waters, or interests therein including the use of all
9 or part of any pier, dock, or landing within the State of
10 New York and the State of New Jersey, for the purpose
11 of operating and maintaining facilities in the support of
12 transportation and accommodation of visitors to Ellis,
13 Governors, and Liberty Islands, and of other program and
14 administrative activities, by donation or with appropriated
15 funds, including franchise fees (and other monetary con-
16 sideration), or by exchange; and the Secretary is author-
17 ized to negotiate and enter into leases, subleases, conces-
18 sion contracts or other agreements for the use of such fa-
19 cilities on such terms and conditions as the Secretary may
20 determine reasonable.

21 OUTER CONTINENTAL SHELF INSPECTION FEES

22 SEC. 107. (a) In fiscal year 2020, the Secretary shall
23 collect a nonrefundable inspection fee, which shall be de-
24 posited in the “Offshore Safety and Environmental En-

1 enforcement” account, from the designated operator for fa-
2 cilities subject to inspection under 43 U.S.C. 1348(c).

3 (b) Annual fees shall be collected for facilities that
4 are above the waterline, excluding drilling rigs, and are
5 in place at the start of the fiscal year. Fees for fiscal year
6 2020 shall be—

7 (1) \$10,500 for facilities with no wells, but with
8 processing equipment or gathering lines;

9 (2) \$17,000 for facilities with 1 to 10 wells,
10 with any combination of active or inactive wells; and

11 (3) \$31,500 for facilities with more than 10
12 wells, with any combination of active or inactive
13 wells.

14 (c) Fees for drilling rigs shall be assessed for all in-
15 spections completed in fiscal year 2020. Fees for fiscal
16 year 2020 shall be—

17 (1) \$30,500 per inspection for rigs operating in
18 water depths of 500 feet or more; and

19 (2) \$16,700 per inspection for rigs operating in
20 water depths of less than 500 feet.

21 (d) Fees for inspection of well operations conducted
22 via non-rig units as outlined in title 30 CFR 250 subparts
23 D, E, F, and Q shall be assessed for all inspections com-
24 pleted in fiscal year 2020. Fees for fiscal year 2020 shall
25 be—

1 wild free roaming horses and burros by such organizations
2 or entities on private land. Such cooperative agreements
3 and contracts may not exceed 10 years, subject to renewal
4 at the discretion of the Secretary.

5 MASS MARKING OF SALMONIDS

6 SEC. 109. The United States Fish and Wildlife Serv-
7 ice shall, in carrying out its responsibilities to protect
8 threatened and endangered species of salmon, implement
9 a system of mass marking of salmonid stocks, intended
10 for harvest, that are released from federally operated or
11 federally financed hatcheries including but not limited to
12 fish releases of coho, chinook, and steelhead species.
13 Marked fish must have a visible mark that can be readily
14 identified by commercial and recreational fishers.

15 CONTRACTS AND AGREEMENTS WITH INDIAN AFFAIRS

16 SEC. 110. Notwithstanding any other provision of
17 law, during fiscal year 2020, in carrying out work involv-
18 ing cooperation with State, local, and tribal governments
19 or any political subdivision thereof, Indian Affairs may
20 record obligations against accounts receivable from any
21 such entities, except that total obligations at the end of
22 the fiscal year shall not exceed total budgetary resources
23 available at the end of the fiscal year.

1 DEPARTMENT OF THE INTERIOR EXPERIENCED SERVICES
2 PROGRAM

3 SEC. 111. (a) Notwithstanding any other provision
4 of law relating to Federal grants and cooperative agree-
5 ments, the Secretary of the Interior is authorized to make
6 grants to, or enter into cooperative agreements with, pri-
7 vate nonprofit organizations designated by the Secretary
8 of Labor under title V of the Older Americans Act of 1965
9 to utilize the talents of older Americans in programs au-
10 thorized by other provisions of law administered by the
11 Secretary and consistent with such provisions of law.

12 (b) Prior to awarding any grant or agreement under
13 subsection (a), the Secretary shall ensure that the agree-
14 ment would not—

15 (1) result in the displacement of individuals
16 currently employed by the Department, including
17 partial displacement through reduction of non-over-
18 time hours, wages, or employment benefits;

19 (2) result in the use of an individual under the
20 Department of the Interior Experienced Services
21 Program for a job or function in a case in which a
22 Federal employee is in a layoff status from the same
23 or substantially equivalent job within the Depart-
24 ment; or

25 (3) affect existing contracts for services.

1 OBLIGATION OF FUNDS

2 SEC. 112. Amounts appropriated by this Act to the
3 Department of the Interior shall be available for obligation
4 and expenditure not later than 60 days after the date of
5 enactment of this Act.

6 EXTENSION OF AUTHORITIES

7 SEC. 113. (a) Section 512 of title V of division J of
8 Public Law 108–447 is amended by striking “on the date
9 that is 15 years after the date that funds are first made
10 available for this title.” and inserting “after September
11 30, 2022.”.

12 (b) Section 608 of title VI of division J of Public Law
13 108–447 is amended by striking “the expiration of the 15-
14 year period beginning on the date that funds are first
15 made available for this title.” and inserting “September
16 30, 2022.”.

17 (c) Section 109 of title I of Public Law 103–449, as
18 amended by Public Law 111–11, title VIII section
19 8201(c), is further amended by striking “\$15,000,000”
20 and inserting “\$17,000,000”.

21 (d) Section 608(a) of division II of Public Law 104–
22 333, as amended by Public Law 110–229 section 461, is
23 further amended by striking “\$15,000,000” and inserting
24 “\$17,000,000”.

1 TITLE II
2 ENVIRONMENTAL PROTECTION AGENCY
3 SCIENCE AND TECHNOLOGY

4 For science and technology, including research and
5 development activities, which shall include research and
6 development activities under the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980; necessary expenses for personnel and related costs
9 and travel expenses; procurement of laboratory equipment
10 and supplies; and other operating expenses in support of
11 research and development, \$716,449,000, to remain avail-
12 able until September 30, 2021: *Provided*, That of the
13 funds included under this heading, \$6,000,000 shall be for
14 Research: National Priorities as specified in the explana-
15 tory statement described in section 4 (in the matter pre-
16 ceding division A of this consolidated Act).

17 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

18 For environmental programs and management, in-
19 cluding necessary expenses, not otherwise provided for, for
20 personnel and related costs and travel expenses; hire of
21 passenger motor vehicles; hire, maintenance, and oper-
22 ation of aircraft; purchase of reprints; library member-
23 ships in societies or associations which issue publications
24 to members only or at a price to members lower than to
25 subscribers who are not members; administrative costs of

1 the brownfields program under the Small Business Liabil-
2 ity Relief and Brownfields Revitalization Act of 2002; im-
3 plementation of a coal combustion residual permit pro-
4 gram under section 2301 of the Water and Waste Act of
5 2016; and not to exceed \$31,000 for official reception and
6 representation expenses, \$2,663,356,000, to remain avail-
7 able until September 30, 2021: *Provided*, That of the
8 funds included under this heading, \$17,700,000 shall be
9 for Environmental Protection: National Priorities as speci-
10 fied in the explanatory statement described in section 4
11 (in the matter preceding division A of this consolidated
12 Act): *Provided further*, That of the funds included under
13 this heading, \$510,276,000 shall be for Geographic Pro-
14 grams specified in the explanatory statement described in
15 section 4 (in the matter preceding division A of this con-
16 solidated Act).

17 In addition, \$5,000,000 to remain available until ex-
18 pended, for necessary expenses of activities described in
19 section 26(b)(1) of the Toxic Substances Control Act (15
20 U.S.C. 2625(b)(1)): *Provided*, That fees collected pursu-
21 ant to that section of that Act and deposited in the “TSCA
22 Service Fee Fund” as discretionary offsetting receipts in
23 fiscal year 2020 shall be retained and used for necessary
24 salaries and expenses in this appropriation and shall re-
25 main available until expended: *Provided further*, That the

1 sum herein appropriated in this paragraph from the gen-
2 eral fund for fiscal year 2020 shall be reduced by the
3 amount of discretionary offsetting receipts received during
4 fiscal year 2020, so as to result in a final fiscal year 2020
5 appropriation from the general fund estimated at not more
6 than \$0: *Provided further*, That to the extent that amounts
7 realized from such receipts exceed \$5,000,000, those
8 amount in excess of \$5,000,000 shall be deposited in the
9 “TSCA Service Fee Fund” as discretionary offsetting re-
10 cepts in fiscal year 2020, shall be retained and used for
11 necessary salaries and expenses in this account, and shall
12 remain available until expended: *Provided further*, That of
13 the funds included in the first paragraph under this head-
14 ing, the Chemical Risk Review and Reduction program
15 project shall be allocated for this fiscal year, excluding the
16 amount of any fees appropriated, not less than the amount
17 of appropriations for that program project for fiscal year
18 2014.

19 HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM
20 FUND

21 For necessary expenses to carry out section 3024 of
22 the Solid Waste Disposal Act (42 U.S.C. 6939g), includ-
23 ing the development, operation, maintenance, and upgrad-
24 ing of the hazardous waste electronic manifest system es-
25 tablished by such section, \$8,000,000, to remain available

1 until expended: *Provided*, That the sum herein appro-
2 priated from the general fund shall be reduced as offset-
3 ting collections under such section 3024 are received dur-
4 ing fiscal year 2020, which shall remain available until ex-
5 pended and be used for necessary expenses in this appro-
6 priation, so as to result in a final fiscal year 2020 appro-
7 priation from the general fund estimated at not more than
8 \$0: *Provided further*, That to the extent such offsetting
9 collections received in fiscal year 2020 exceed \$8,000,000,
10 those excess amounts shall remain available until ex-
11 pended and be used for necessary expenses in this appro-
12 priation.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector
15 General in carrying out the provisions of the Inspector
16 General Act of 1978, \$41,489,000, to remain available
17 until September 30, 2021.

18 BUILDINGS AND FACILITIES

19 For construction, repair, improvement, extension, al-
20 teration, and purchase of fixed equipment or facilities of,
21 or for use by, the Environmental Protection Agency,
22 \$33,598,000, to remain available until expended.

1 HAZARDOUS SUBSTANCE SUPERFUND
2 (INCLUDING TRANSFERS OF FUNDS)

3 For necessary expenses to carry out the Comprehen-
4 sive Environmental Response, Compensation, and Liabil-
5 ity Act of 1980 (CERCLA), including sections 111(c)(3),
6 (c)(5), (c)(6), and (e)(4) (42 U.S.C. 9611), and hire,
7 maintenance, and operation of aircraft, \$1,184,755,000,
8 to remain available until expended, consisting of such
9 sums as are available in the Trust Fund on September
10 30, 2019, as authorized by section 517(a) of the Super-
11 fund Amendments and Reauthorization Act of 1986
12 (SARA) and up to \$1,184,755,000 as a payment from
13 general revenues to the Hazardous Substance Superfund
14 for purposes as authorized by section 517(b) of SARA:
15 *Provided*, That funds appropriated under this heading
16 may be allocated to other Federal agencies in accordance
17 with section 111(a) of CERCLA: *Provided further*, That
18 of the funds appropriated under this heading,
19 \$11,586,000 shall be paid to the “Office of Inspector Gen-
20 eral” appropriation to remain available until September
21 30, 2021, and \$30,747,000 shall be paid to the “Science
22 and Technology” appropriation to remain available until
23 September 30, 2021.

1 LEAKING UNDERGROUND STORAGE TANK TRUST FUND
2 PROGRAM

3 For necessary expenses to carry out leaking under-
4 ground storage tank cleanup activities authorized by sub-
5 title I of the Solid Waste Disposal Act, \$91,941,000, to
6 remain available until expended, of which \$66,572,000
7 shall be for carrying out leaking underground storage tank
8 cleanup activities authorized by section 9003(h) of the
9 Solid Waste Disposal Act; \$25,369,000 shall be for car-
10 rying out the other provisions of the Solid Waste Disposal
11 Act specified in section 9508(c) of the Internal Revenue
12 Code: *Provided*, That the Administrator is authorized to
13 use appropriations made available under this heading to
14 implement section 9013 of the Solid Waste Disposal Act
15 to provide financial assistance to federally recognized In-
16 dian tribes for the development and implementation of
17 programs to manage underground storage tanks.

18 INLAND OIL SPILL PROGRAMS

19 For expenses necessary to carry out the Environ-
20 mental Protection Agency's responsibilities under the Oil
21 Pollution Act of 1990, including hire, maintenance, and
22 operation of aircraft, \$19,581,000, to be derived from the
23 Oil Spill Liability trust fund, to remain available until ex-
24 pended.

1 STATE AND TRIBAL ASSISTANCE GRANTS

2 For environmental programs and infrastructure as-
3 sistance, including capitalization grants for State revolv-
4 ing funds and performance partnership grants,
5 \$4,246,232,000, to remain available until expended, of
6 which—

7 (1) \$1,638,826,000 shall be for making capital-
8 ization grants for the Clean Water State Revolving
9 Funds under title VI of the Federal Water Pollution
10 Control Act; and of which \$1,126,088,000 shall be
11 for making capitalization grants for the Drinking
12 Water State Revolving Funds under section 1452 of
13 the Safe Drinking Water Act: *Provided*, That for fis-
14 cal year 2020, to the extent there are sufficient eligi-
15 ble project applications and projects are consistent
16 with State Intended Use Plans, not less than 10 per-
17 cent of the funds made available under this title to
18 each State for Clean Water State Revolving Fund
19 capitalization grants shall be used by the State for
20 projects to address green infrastructure, water or
21 energy efficiency improvements, or other environ-
22 mentally innovative activities: *Provided further*, That
23 for fiscal year 2020, funds made available under this
24 title to each State for Drinking Water State Revolv-
25 ing Fund capitalization grants may, at the discretion

1 of each State, be used for projects to address green
2 infrastructure, water or energy efficiency improve-
3 ments, or other environmentally innovative activities:
4 *Provided further,* That notwithstanding section
5 603(d)(7) of the Federal Water Pollution Control
6 Act, the limitation on the amounts in a State water
7 pollution control revolving fund that may be used by
8 a State to administer the fund shall not apply to
9 amounts included as principal in loans made by such
10 fund in fiscal year 2020 and prior years where such
11 amounts represent costs of administering the fund
12 to the extent that such amounts are or were deemed
13 reasonable by the Administrator, accounted for sepa-
14 rately from other assets in the fund, and used for
15 eligible purposes of the fund, including administra-
16 tion: *Provided further,* That for fiscal year 2020,
17 notwithstanding the provisions of subsections (g)(1),
18 (h), and (l) of section 201 of the Federal Water Pol-
19 lution Control Act, grants made under title II of
20 such Act for American Samoa, Guam, the common-
21 wealth of the Northern Marianas, the United States
22 Virgin Islands, and the District of Columbia may
23 also be made for the purpose of providing assistance:
24 (1) solely for facility plans, design activities, or
25 plans, specifications, and estimates for any proposed

1 project for the construction of treatment works; and
2 (2) for the construction, repair, or replacement of
3 privately owned treatment works serving one or
4 more principal residences or small commercial estab-
5 lishments: *Provided further*, That for fiscal year
6 2020, notwithstanding the provisions of such sub-
7 sections (g)(1), (h), and (l) of section 201 and sec-
8 tion 518(c) of the Federal Water Pollution Control
9 Act, funds reserved by the Administrator for grants
10 under section 518(c) of the Federal Water Pollution
11 Control Act may also be used to provide assistance:
12 (1) solely for facility plans, design activities, or
13 plans, specifications, and estimates for any proposed
14 project for the construction of treatment works; and
15 (2) for the construction, repair, or replacement of
16 privately owned treatment works serving one or
17 more principal residences or small commercial estab-
18 lishments: *Provided further*, That for fiscal year
19 2020, notwithstanding any provision of the Federal
20 Water Pollution Control Act and regulations issued
21 pursuant thereof, up to a total of \$2,000,000 of the
22 funds reserved by the Administrator for grants
23 under section 518(c) of such Act may also be used
24 for grants for training, technical assistance, and
25 educational programs relating to the operation and

1 management of the treatment works specified in sec-
2 tion 518(c) of such Act: *Provided further*, That for
3 fiscal year 2020, funds reserved under section
4 518(c) of such Act shall be available for grants only
5 to Indian tribes, as defined in section 518(h) of such
6 Act and former Indian reservations in Oklahoma (as
7 determined by the Secretary of the Interior) and Na-
8 tive Villages as defined in Public Law 92–203: *Pro-*
9 *vided further*, That for fiscal year 2020, notwith-
10 standing the limitation on amounts in section 518(c)
11 of the Federal Water Pollution Control Act, up to a
12 total of 2 percent of the funds appropriated, or
13 \$30,000,000, whichever is greater, and notwith-
14 standing the limitation on amounts in section
15 1452(i) of the Safe Drinking Water Act, up to a
16 total of 2 percent of the funds appropriated, or
17 \$20,000,000, whichever is greater, for State Revolv-
18 ing Funds under such Acts may be reserved by the
19 Administrator for grants under section 518(c) and
20 section 1452(i) of such Acts: *Provided further*, That
21 for fiscal year 2020, notwithstanding the amounts
22 specified in section 205(c) of the Federal Water Pol-
23 lution Control Act, up to 1.5 percent of the aggre-
24 gate funds appropriated for the Clean Water State
25 Revolving Fund program under the Act less any

1 sums reserved under section 518(c) of the Act, may
2 be reserved by the Administrator for grants made
3 under title II of the Federal Water Pollution Control
4 Act for American Samoa, Guam, the Commonwealth
5 of the Northern Marianas, and United States Virgin
6 Islands: *Provided further*, That for fiscal year 2020,
7 notwithstanding the limitations on amounts specified
8 in section 1452(j) of the Safe Drinking Water Act,
9 up to 1.5 percent of the funds appropriated for the
10 Drinking Water State Revolving Fund programs
11 under the Safe Drinking Water Act may be reserved
12 by the Administrator for grants made under section
13 1452(j) of the Safe Drinking Water Act: *Provided*
14 *further*, That 10 percent of the funds made available
15 under this title to each State for Clean Water State
16 Revolving Fund capitalization grants and 14 percent
17 of the funds made available under this title to each
18 State for Drinking Water State Revolving Fund cap-
19 italization grants shall be used by the State to pro-
20 vide additional subsidy to eligible recipients in the
21 form of forgiveness of principal, negative interest
22 loans, or grants (or any combination of these), and
23 shall be so used by the State only where such funds
24 are provided as initial financing for an eligible re-
25 cipient or to buy, refinance, or restructure the debt

1 obligations of eligible recipients only where such debt
2 was incurred on or after the date of enactment of
3 this Act, or where such debt was incurred prior to
4 the date of enactment of this Act if the State, with
5 concurrence from the Administrator, determines that
6 such funds could be used to help address a threat
7 to public health from heightened exposure to lead in
8 drinking water or if a Federal or State emergency
9 declaration has been issued due to a threat to public
10 health from heightened exposure to lead in a munic-
11 ipal drinking water supply before the date of enact-
12 ment of this Act: *Provided further*, That in a State
13 in which such an emergency declaration has been
14 issued, the State may use more than 14 percent of
15 the funds made available under this title to the
16 State for Drinking Water State Revolving Fund cap-
17 italization grants to provide additional subsidy to eli-
18 gible recipients;

19 (2) \$25,000,000 shall be for architectural, engi-
20 neering, planning, design, construction and related
21 activities in connection with the construction of high
22 priority water and wastewater facilities in the area
23 of the United States-Mexico Border, after consulta-
24 tion with the appropriate border commission: *Pro-*
25 *vided*, That no funds provided by this appropriations

1 Act to address the water, wastewater and other crit-
2 ical infrastructure needs of the colonias in the
3 United States along the United States-Mexico bor-
4 der shall be made available to a county or municipal
5 government unless that government has established
6 an enforceable local ordinance, or other zoning rule,
7 which prevents in that jurisdiction the development
8 or construction of any additional colonia areas, or
9 the development within an existing colonia the con-
10 struction of any new home, business, or other struc-
11 ture which lacks water, wastewater, or other nec-
12 essary infrastructure;

13 (3) \$29,186,000 shall be for grants to the State
14 of Alaska to address drinking water and wastewater
15 infrastructure needs of rural and Alaska Native Vil-
16 lages: *Provided*, That of these funds: (A) the State
17 of Alaska shall provide a match of 25 percent; (B)
18 no more than 5 percent of the funds may be used
19 for administrative and overhead expenses; and (C)
20 the State of Alaska shall make awards consistent
21 with the Statewide priority list established in con-
22 junction with the Agency and the U.S. Department
23 of Agriculture for all water, sewer, waste disposal,
24 and similar projects carried out by the State of Alas-
25 ka that are funded under section 221 of the Federal

1 Water Pollution Control Act (33 U.S.C. 1301) or
2 the Consolidated Farm and Rural Development Act
3 (7 U.S.C. 1921 et seq.) which shall allocate not less
4 than 25 percent of the funds provided for projects
5 in regional hub communities;

6 (4) \$89,000,000 shall be to carry out section
7 104(k) of the Comprehensive Environmental Re-
8 sponse, Compensation, and Liability Act of 1980
9 (CERCLA), including grants, interagency agree-
10 ments, and associated program support costs: *Pro-*
11 *vided*, That at least 10 percent shall be allocated for
12 assistance in persistent poverty counties: *Provided*
13 *further*, That for purposes of this section, the term
14 “persistent poverty counties” means any county that
15 has had 20 percent or more of its population living
16 in poverty over the past 30 years, as measured by
17 the 1990 and 2000 decennial censuses and the most
18 recent Small Area Income and Poverty Estimates, or
19 any territory or possession of the United States;

20 (5) \$87,000,000 shall be for grants under title
21 VII, subtitle G of the Energy Policy Act of 2005;

22 (6) \$56,306,000 shall be for targeted airshed
23 grants in accordance with the terms and conditions
24 in the explanatory statement described in section 4

1 (in the matter preceding division A of this consoli-
2 dated Act);

3 (7) \$4,000,000 shall be to carry out the water
4 quality program authorized in section 5004(d) of the
5 Water Infrastructure Improvements for the Nation
6 Act (Public Law 114–322);

7 (8) \$25,408,000 shall be for grants under sub-
8 sections (a) through (j) of section 1459A of the Safe
9 Drinking Water Act (42 U.S.C. 300j–19a);

10 (9) \$26,000,000 shall be for grants under sec-
11 tion 1464(d) of the Safe Drinking Water Act (42
12 U.S.C. 300j–24(d));

13 (10) \$19,511,000 shall be for grants under sec-
14 tion 1459B of the Safe Drinking Water Act (42
15 U.S.C. 300j–19b);

16 (11) \$3,000,000 shall be for grants under sec-
17 tion 1459A(l) of the Safe Drinking Water Act (42
18 U.S.C. 300j–19a(l));

19 (12) \$12,000,000 shall be for grants under sec-
20 tion 104(b)(8) of the Federal Water Pollution Con-
21 trol Act (33 U.S.C. 1254(b)(8));

22 (13) \$28,000,000 shall be for grants under sec-
23 tion 221 of the Federal Water Pollution Control Act
24 (33 U.S.C. 1301);

1 (14) \$1,000,000 shall be for grants under sec-
2 tion 4304(b) of the America’s Water Infrastructure
3 Act of 2018 (Public Law 115–270); and

4 (15) \$1,075,907,000 shall be for grants, includ-
5 ing associated program support costs, to States, fed-
6 erally recognized tribes, interstate agencies, tribal
7 consortia, and air pollution control agencies for
8 multi-media or single media pollution prevention,
9 control and abatement and related activities, includ-
10 ing activities pursuant to the provisions set forth
11 under this heading in Public Law 104–134, and for
12 making grants under section 103 of the Clean Air
13 Act for particulate matter monitoring and data col-
14 lection activities subject to terms and conditions
15 specified by the Administrator, of which:
16 \$46,190,000 shall be for carrying out section 128 of
17 CERCLA; \$9,332,000 shall be for Environmental
18 Information Exchange Network grants, including as-
19 sociated program support costs; \$1,449,000 shall be
20 for grants to States under section 2007(f)(2) of the
21 Solid Waste Disposal Act, which shall be in addition
22 to funds appropriated under the heading “Leaking
23 Underground Storage Tank Trust Fund Program”
24 to carry out the provisions of the Solid Waste Dis-
25 posal Act specified in section 9508(c) of the Internal

1 Revenue Code other than section 9003(h) of the
2 Solid Waste Disposal Act; \$17,848,000 of the funds
3 available for grants under section 106 of the Federal
4 Water Pollution Control Act shall be for State par-
5 ticipation in national- and State-level statistical sur-
6 veys of water resources and enhancements to State
7 monitoring programs; \$13,000,000 shall be for mul-
8 tipurpose grants, including interagency agreements.

9 WATER INFRASTRUCTURE FINANCE AND INNOVATION

10 PROGRAM ACCOUNT

11 For the cost of direct loans and for the cost of guar-
12 anteed loans, as authorized by the Water Infrastructure
13 Finance and Innovation Act of 2014, \$55,000,000, to re-
14 main available until expended: *Provided*, That such costs,
15 including the cost of modifying such loans, shall be as de-
16 fined in section 502 of the Congressional Budget Act of
17 1974: *Provided further*, That these funds are available to
18 subsidize gross obligations for the principal amount of di-
19 rect loans, including capitalized interest, and total loan
20 principal, including capitalized interest, any part of which
21 is to be guaranteed, not to exceed \$11,500,000,000: *Pro-*
22 *vided further*, That of the funds made available under this
23 heading, \$5,000,000 shall be used solely for the cost of
24 direct loans and for the cost of guaranteed loans for
25 projects described in section 5026(9) of the Water Infra-

1 structure Finance and Innovation Act of 2014 to State
2 infrastructure financing authorities, as authorized by sec-
3 tion 5033(e) of such Act: *Provided further*, That the Ad-
4 ministrator, together with the Director of the Office of
5 Management and Budget and the Secretary of the Treas-
6 ury, shall jointly develop criteria for project eligibility for
7 direct loans and loan guarantees authorized by the Water
8 Infrastructure Finance and Innovation Act of 2014 that
9 limit Federal participation in a project consistent with the
10 requirements for the budgetary treatment provided for in
11 section 504 of the Federal Credit Reform Act of 1990 and
12 based on the recommendations contained in the 1967 Re-
13 port of the President’s Commission on Budget Concepts;
14 and the Administrator, the Director, and the Secretary,
15 shall, not later than 120 days after the date of enactment
16 of this Act, publish such criteria in the Federal Register:
17 *Provided further*, That, in developing the criteria to be
18 used, the Administrator, the Director, and the Secretary,
19 shall consult with the Director of the Congressional Budg-
20 et Office: *Provided further*, That the requirements of sec-
21 tion 553 of title 5, United States Code, shall not apply
22 to the development and publication of such criteria: *Pro-*
23 *vided further*, That the use of direct loans or loan guar-
24 antee authority under this heading for direct loans or com-
25 mitments to guarantee loans for any project shall be in

1 accordance with the criteria published pursuant to this
2 Act: *Provided further*, That the Administrator, the Direc-
3 tor, and the Secretary, shall also certify, and publish such
4 certification in the Federal Register, that the criteria is
5 compliant with this paragraph, at the same time the Ad-
6 ministrator, the Director, and the Secretary, publish the
7 criteria in the Federal Register: *Provided further*, That the
8 Administrator may not issue a Notice of Funding Avail-
9 ability for applications for credit assistance under the
10 Water Infrastructure Finance and Innovation Act Pro-
11 gram in fiscal year 2020 until the criteria have been devel-
12 oped and published pursuant to the fourth proviso and
13 certified pursuant to the previous proviso: *Provided fur-*
14 *ther*, That none of the direct loans or loan guarantee au-
15 thority made available under this heading shall be avail-
16 able for any project unless the Administrator and the Di-
17 rector of the Office of Management and Budget have cer-
18 tified in advance in writing that the direct loan or loan
19 guarantee, as applicable, and the project comply with the
20 criteria developed and published pursuant to this Act: *Pro-*
21 *vided further*, That the criteria developed and published
22 pursuant to this Act shall not apply to the use of direct
23 loans or loan guarantee authority provided by prior appro-
24 priations Acts: *Provided further*, That not later than 15
25 days after the date upon which criteria have been pub-

1 lished pursuant to the fourth proviso, the Administrator
2 shall report to the Committees on Appropriations of the
3 House of Representatives and Senate, the Committees on
4 Energy and Commerce and Transportation and Infra-
5 structure of the House of Representatives, and the Com-
6 mittee on Environment and Public Works of the Senate
7 on any statutory improvements to the Water Infrastruc-
8 ture Finance and Innovation Act of 2014 or to the Water
9 Infrastructure Finance and Innovation Act Program Ac-
10 count's appropriations language that would further align
11 such Act and such language with the budgetary treatment
12 and recommendations referred to in the fourth proviso:
13 *Provided further*, That, for the purposes of carrying out
14 the Congressional Budget Act of 1974, the Director of the
15 Congressional Budget Office may request, and the Admin-
16 istrator shall promptly provide, documentation and infor-
17 mation relating to a project identified in a Letter of Inter-
18 est submitted to the Administrator pursuant to a Notice
19 of Funding Availability for applications for credit assist-
20 ance under the Water Infrastructure Finance and Innova-
21 tion Act Program, including with respect to a project that
22 was initiated or completed before the date of enactment
23 of this Act.

24 In addition, fees authorized to be collected pursuant
25 to sections 5029 and 5030 of the Water Infrastructure

1 Finance and Innovation Act of 2014 shall be deposited
2 in this account, to remain available until expended.

3 In addition, for administrative expenses to carry out
4 the direct and guaranteed loan programs, notwithstanding
5 section 5033 of the Water Infrastructure Finance and In-
6 novation Act of 2014, \$5,000,000, to remain available
7 until September 30, 2021.

8 ADMINISTRATIVE PROVISIONS—ENVIRONMENTAL
9 PROTECTION AGENCY

10 (INCLUDING TRANSFERS OF FUNDS)

11 For fiscal year 2020, notwithstanding 31 U.S.C.
12 6303(1) and 6305(1), the Administrator of the Environ-
13 mental Protection Agency, in carrying out the Agency's
14 function to implement directly Federal environmental pro-
15 grams required or authorized by law in the absence of an
16 acceptable tribal program, may award cooperative agree-
17 ments to federally recognized Indian tribes or Intertribal
18 consortia, if authorized by their member tribes, to assist
19 the Administrator in implementing Federal environmental
20 programs for Indian tribes required or authorized by law,
21 except that no such cooperative agreements may be award-
22 ed from funds designated for State financial assistance
23 agreements.

24 The Administrator of the Environmental Protection
25 Agency is authorized to collect and obligate pesticide reg-

1 istration service fees in accordance with section 33 of the
2 Federal Insecticide, Fungicide, and Rodenticide Act, as
3 amended by Public Law 116–8, the Pesticide Registration
4 Improvement Extension Act of 2018.

5 Notwithstanding section 33(d)(2) of the Federal In-
6 secticide, Fungicide, and Rodenticide Act (FIFRA) (7
7 U.S.C. 136w–8(d)(2)), the Administrator of the Environ-
8 mental Protection Agency may assess fees under section
9 33 of FIFRA (7 U.S.C. 136w–8) for fiscal year 2020.

10 The Administrator is authorized to transfer up to
11 \$320,000,000 of the funds appropriated for the Great
12 Lakes Restoration Initiative under the heading “Environ-
13 mental Programs and Management” to the head of any
14 Federal department or agency, with the concurrence of
15 such head, to carry out activities that would support the
16 Great Lakes Restoration Initiative and Great Lakes
17 Water Quality Agreement programs, projects, or activities;
18 to enter into an interagency agreement with the head of
19 such Federal department or agency to carry out these ac-
20 tivities; and to make grants to governmental entities, non-
21 profit organizations, institutions, and individuals for plan-
22 ning, research, monitoring, outreach, and implementation
23 in furtherance of the Great Lakes Restoration Initiative
24 and the Great Lakes Water Quality Agreement.

1 The Science and Technology, Environmental Pro-
2 grams and Management, Office of Inspector General, Haz-
3 ardous Substance Superfund, and Leaking Underground
4 Storage Tank Trust Fund Program Accounts, are avail-
5 able for the construction, alteration, repair, rehabilitation,
6 and renovation of facilities, provided that the cost does
7 not exceed \$150,000 per project.

8 For fiscal year 2020, and notwithstanding section
9 518(f) of the Federal Water Pollution Control Act (33
10 U.S.C. 1377(f)), the Administrator is authorized to use
11 the amounts appropriated for any fiscal year under section
12 319 of the Act to make grants to Indian tribes pursuant
13 to sections 319(h) and 518(e) of that Act.

14 The Administrator is authorized to use the amounts
15 appropriated under the heading “Environmental Pro-
16 grams and Management” for fiscal year 2020 to provide
17 grants to implement the Southeastern New England Wa-
18 tershed Restoration Program.

19 Notwithstanding the limitations on amounts in sec-
20 tion 320(i)(2)(B) of the Federal Water Pollution Control
21 Act, not less than \$1,350,000 of the funds made available
22 under this title for the National Estuary Program shall
23 be for making competitive awards described in section
24 320(g)(4).

1 The fourth paragraph under heading “Administrative
2 Provisions” in title II of Public Law 109–54 is amended
3 by striking “2020” and inserting “2025”.

1 TITLE III
2 RELATED AGENCIES
3 DEPARTMENT OF AGRICULTURE

4 OFFICE OF THE UNDER SECRETARY FOR NATURAL
5 RESOURCES AND ENVIRONMENT

6 For necessary expenses of the Office of the Under
7 Secretary for Natural Resources and Environment,
8 \$875,000: *Provided*, That funds made available by this
9 Act to any agency in the Natural Resources and Environ-
10 ment mission area for salaries and expenses are available
11 to fund up to one administrative support staff for the of-
12 fice.

13 FOREST SERVICE

14 FOREST AND RANGELAND RESEARCH

15 For necessary expenses of forest and rangeland re-
16 search as authorized by law, \$305,000,000, to remain
17 available through September 30, 2023: *Provided*, That of
18 the funds provided, \$77,000,000 is for the forest inventory
19 and analysis program: *Provided further*, That all authori-
20 ties for the use of funds, including the use of contracts,
21 grants, and cooperative agreements, available to execute
22 the Forest and Rangeland Research appropriation, are
23 also available in the utilization of these funds for Fire
24 Science Research.

1 STATE AND PRIVATE FORESTRY

2 For necessary expenses of cooperating with and pro-
3 viding technical and financial assistance to States, terri-
4 tories, possessions, and others, and for forest health man-
5 agement, and conducting an international program as au-
6 thorized, \$346,990,000, to remain available through Sep-
7 tember 30, 2023, as authorized by law; of which
8 \$63,990,000 is to be derived from the Land and Water
9 Conservation Fund to be used for the Forest Legacy Pro-
10 gram, to remain available until expended.

11 NATIONAL FOREST SYSTEM

12 For necessary expenses of the Forest Service, not
13 otherwise provided for, for management, protection, im-
14 provement, and utilization of the National Forest System,
15 and for hazardous fuels management on or adjacent to
16 such lands, \$1,957,510,000, to remain available through
17 September 30, 2023: *Provided*, That of the funds pro-
18 vided, \$40,000,000 shall be deposited in the Collaborative
19 Forest Landscape Restoration Fund for ecological restora-
20 tion treatments as authorized by 16 U.S.C. 7303(f): *Pro-*
21 *vided further*, That of the funds provided, \$373,000,000
22 shall be for forest products: *Provided further*, That of the
23 funds provided, \$445,310,000 shall be for hazardous fuels
24 management activities, of which not to exceed
25 \$15,000,000 may be used to make grants, using any au-

1 thorities available to the Forest Service under the “State
2 and Private Forestry” appropriation, for the purpose of
3 creating incentives for increased use of biomass from Na-
4 tional Forest System lands: *Provided further*, That
5 \$20,000,000 may be used by the Secretary of Agriculture
6 to enter into procurement contracts or cooperative agree-
7 ments or to issue grants for hazardous fuels management
8 activities, and for training or monitoring associated with
9 such hazardous fuels management activities on Federal
10 land, or on non-Federal land if the Secretary determines
11 such activities benefit resources on Federal land: *Provided*
12 *further*, That funds made available to implement the Com-
13 munity Forestry Restoration Act, Public Law 106–393,
14 title VI, shall be available for use on non-Federal lands
15 in accordance with authorities made available to the For-
16 est Service under the “State and Private Forestry” appro-
17 priations: *Provided further*, That notwithstanding section
18 33 of the Bankhead Jones Farm Tenant Act (7 U.S.C.
19 1012), the Secretary of Agriculture, in calculating a fee
20 for grazing on a National Grassland, may provide a credit
21 of up to 50 percent of the calculated fee to a Grazing As-
22 sociation or direct permittee for a conservation practice
23 approved by the Secretary in advance of the fiscal year
24 in which the cost of the conservation practice is incurred.
25 And, that the amount credited shall remain available to

1 the Grazing Association or the direct permittee, as appro-
2 priate, in the fiscal year in which the credit is made and
3 each fiscal year thereafter for use on the project for con-
4 servation practices approved by the Secretary.

5 CAPITAL IMPROVEMENT AND MAINTENANCE

6 (INCLUDING TRANSFER OF FUNDS)

7 For necessary expenses of the Forest Service, not
8 otherwise provided for, \$455,000,000, to remain available
9 through September 30, 2023, for construction, capital im-
10 provement, maintenance and acquisition of buildings and
11 other facilities and infrastructure; and for construction,
12 reconstruction, decommissioning of roads that are no
13 longer needed, including unauthorized roads that are not
14 part of the transportation system, and maintenance of for-
15 est roads and trails by the Forest Service as authorized
16 by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Pro-*
17 *vided*, That funds becoming available in fiscal year 2020
18 under the Act of March 4, 1913 (16 U.S.C. 501) shall
19 be transferred to the General Fund of the Treasury and
20 shall not be available for transfer or obligation for any
21 other purpose unless the funds are appropriated.

22 LAND ACQUISITION

23 (INCLUDING RESCISSION OF FUNDS)

24 For expenses necessary to carry out the provisions
25 of chapter 2003 of title 54, United States Code, including

1 administrative expenses, and for acquisition of land or wa-
2 ters, or interest therein, in accordance with statutory au-
3 thority applicable to the Forest Service, \$78,898,000, to
4 be derived from the Land and Water Conservation Fund
5 and to remain available until expended.

6 Of the unobligated balances from amounts made
7 available for Forest Service and derived from the Land
8 and Water Conservation Fund, \$2,000,000 is hereby per-
9 manently rescinded from projects with cost savings or
10 failed projects or partially failed that had funds returned:
11 *Provided*, That no amounts may be rescinded from
12 amounts that were designated by the Congress as an
13 emergency requirement pursuant to the Concurrent Reso-
14 lution on the Budget or the Balanced Budget and Emer-
15 gency Deficit Control Act of 1985.

16 ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL
17 ACTS

18 For acquisition of lands within the exterior bound-
19 aries of the Cache, Uinta, and Wasatch National Forests,
20 Utah; the Toiyabe National Forest, Nevada; and the An-
21 geles, San Bernardino, Sequoia, and Cleveland National
22 Forests, California; and the Ozark-St. Francis and
23 Ouachita National Forests, Arkansas; as authorized by
24 law, \$700,000, to be derived from forest receipts.

1 ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

2 For acquisition of lands, such sums, to be derived
3 from funds deposited by State, county, or municipal gov-
4 ernments, public school districts, or other public school au-
5 thorities, and for authorized expenditures from funds de-
6 posited by non-Federal parties pursuant to Land Sale and
7 Exchange Acts, pursuant to the Act of December 4, 1967
8 (16 U.S.C. 484a), to remain available through September
9 30, 2023, (16 U.S.C. 516–617a, 555a; Public Law 96–
10 586; Public Law 76–589, 76–591; and Public Law 78–
11 310).

12 RANGE BETTERMENT FUND

13 For necessary expenses of range rehabilitation, pro-
14 tection, and improvement, 50 percent of all moneys re-
15 ceived during the prior fiscal year, as fees for grazing do-
16 mestic livestock on lands in National Forests in the 16
17 Western States, pursuant to section 401(b)(1) of Public
18 Law 94–579, to remain available through September 30,
19 2023, of which not to exceed 6 percent shall be available
20 for administrative expenses associated with on-the-ground
21 range rehabilitation, protection, and improvements.

22 GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND
23 RANGELAND RESEARCH

24 For expenses authorized by 16 U.S.C. 1643(b),
25 \$45,000, to remain available through September 30, 2023,

1 to be derived from the fund established pursuant to the
2 above Act.

3 MANAGEMENT OF NATIONAL FOREST LANDS FOR
4 SUBSISTENCE USES

5 For necessary expenses of the Forest Service to man-
6 age Federal lands in Alaska for subsistence uses under
7 title VIII of the Alaska National Interest Lands Conserva-
8 tion Act (16 U.S.C. 3111 et seq.), \$2,500,000, to remain
9 available through September 30, 2023.

10 WILDLAND FIRE MANAGEMENT
11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses for forest fire presuppression
13 activities on National Forest System lands, for emergency
14 wildland fire suppression on or adjacent to such lands or
15 other lands under fire protection agreement, and for emer-
16 gency rehabilitation of burned-over National Forest Sys-
17 tem lands and water, \$2,350,620,000, to remain available
18 until expended: *Provided*, That such funds including unob-
19 ligated balances under this heading, are available for re-
20 payment of advances from other appropriations accounts
21 previously transferred for such purposes: *Provided further*,
22 That any unobligated funds appropriated in a previous fis-
23 cal year for hazardous fuels management may be trans-
24 ferred to the “National Forest System” account: *Provided*
25 *further*, That such funds shall be available to reimburse

1 State and other cooperating entities for services provided
2 in response to wildfire and other emergencies or disasters
3 to the extent such reimbursements by the Forest Service
4 for non-fire emergencies are fully repaid by the responsible
5 emergency management agency: *Provided further*, That
6 funds provided shall be available for support to Federal
7 emergency response: *Provided further*, That the costs of
8 implementing any cooperative agreement between the Fed-
9 eral Government and any non-Federal entity may be
10 shared, as mutually agreed on by the affected parties: *Pro-*
11 *vided further*, That of the funds provided under this head-
12 ing, \$1,011,000,000 shall be available for wildfire suppres-
13 sion operations, and is provided to the meet the terms of
14 section 251(b)(2)(F)(ii)(I) of the Balanced Budget and
15 Emergency Deficit Control Act of 1985, as amended.

16 WILDFIRE SUPPRESSION OPERATIONS RESERVE FUND
17 (INCLUDING TRANSFERS OF FUNDS)

18 In addition to the amounts provided under the head-
19 ing “Department of Agriculture—Forest Service—
20 Wildland Fire Management” for wildfire suppression oper-
21 ations, \$1,950,000,000, to remain available until trans-
22 ferred, is additional new budget authority as specified for
23 purposes of section 251(b)(2)(F) of the Balanced Budget
24 and Emergency Deficit Control Act of 1985: *Provided*,
25 That such amounts may be transferred to and merged

1 with amounts made available under the headings “Depart-
2 ment of the Interior—Department-Wide Programs—
3 Wildland Fire Management” and “Department of Agri-
4 culture—Forest Service—Wildland Fire Management” for
5 wildfire suppression operations in the fiscal year in which
6 such amounts are transferred: *Provided further*, That
7 amounts may be transferred to the “Wildland Fire Man-
8 agement” accounts in the Department of the Interior or
9 the Department of Agriculture only upon the notification
10 of the House and Senate Committees on Appropriations
11 that all wildfire suppression operations funds appropriated
12 under that heading in this and prior appropriations Acts
13 to the agency to which the funds will be transferred will
14 be obligated within 30 days: *Provided further*, That the
15 transfer authority provided under this heading is in addi-
16 tion to any other transfer authority provided by law.

17 COMMUNICATIONS SITE ADMINISTRATION

18 Amounts collected in this fiscal year pursuant to sec-
19 tion 8705(f)(2) of the Agriculture Improvement Act of
20 2018 (Public Law 115–334), as amended by this Act,
21 shall be deposited in the special account established by
22 section 8705(f)(1) of such Act, shall be available to cover
23 the costs described in subsection (e)(3) of such section of
24 such Act, and shall remain available until expended: *Pro-*

1 *vided*, That such amounts shall be transferred to the “Na-
2 tional Forest System” account.

3 ADMINISTRATIVE PROVISIONS—FOREST SERVICE

4 (INCLUDING TRANSFERS OF FUNDS)

5 Appropriations to the Forest Service for the current
6 fiscal year shall be available for: (1) purchase of passenger
7 motor vehicles; acquisition of passenger motor vehicles
8 from excess sources, and hire of such vehicles; purchase,
9 lease, operation, maintenance, and acquisition of aircraft
10 to maintain the operable fleet for use in Forest Service
11 wildland fire programs and other Forest Service programs;
12 notwithstanding other provisions of law, existing aircraft
13 being replaced may be sold, with proceeds derived or
14 trade-in value used to offset the purchase price for the
15 replacement aircraft; (2) services pursuant to 7 U.S.C.
16 2225, and not to exceed \$100,000 for employment under
17 5 U.S.C. 3109; (3) purchase, erection, and alteration of
18 buildings and other public improvements (7 U.S.C. 2250);
19 (4) acquisition of land, waters, and interests therein pur-
20 suant to 7 U.S.C. 428a; (5) for expenses pursuant to the
21 Volunteers in the National Forest Act of 1972 (16 U.S.C.
22 558a, 558d, and 558a note); (6) the cost of uniforms as
23 authorized by 5 U.S.C. 5901–5902; and (7) for debt col-
24 lection contracts in accordance with 31 U.S.C. 3718(e).

1 Any appropriations or funds available to the Forest
2 Service may be transferred to the Wildland Fire Manage-
3 ment appropriation for forest firefighting, emergency re-
4 habilitation of burned-over or damaged lands or waters
5 under its jurisdiction, and fire preparedness due to severe
6 burning conditions upon the Secretary's notification of the
7 House and Senate Committees on Appropriations that all
8 fire suppression funds appropriated under the heading
9 "Wildland Fire Management" will be obligated within 30
10 days: *Provided*, That all funds used pursuant to this para-
11 graph must be replenished by a supplemental appropria-
12 tion which must be requested as promptly as possible.

13 Not more than \$50,000,000 of funds appropriated to
14 the Forest Service shall be available for expenditure or
15 transfer to the Department of the Interior for wildland
16 fire management, hazardous fuels management, and State
17 fire assistance when such transfers would facilitate and
18 expedite wildland fire management programs and projects.

19 Notwithstanding any other provision of this Act, the
20 Forest Service may transfer unobligated balances of dis-
21 cretionary funds appropriated to the Forest Service by
22 this Act to or within the National Forest System Account,
23 or reprogram funds to be used for the purposes of haz-
24 ardous fuels management and urgent rehabilitation of
25 burned-over National Forest System lands and water,

1 such transferred funds shall remain available through Sep-
2 tember 30, 2023: *Provided*, That none of the funds trans-
3 ferred pursuant to this section shall be available for obli-
4 gation without written notification to and the prior ap-
5 proval of the Committees on Appropriations of both
6 Houses of Congress: *Provided further*, That this section
7 does not apply to funds derived from the Land and Water
8 Conservation Fund.

9 Funds appropriated to the Forest Service shall be
10 available for assistance to or through the Agency for Inter-
11 national Development in connection with forest and range-
12 land research, technical information, and assistance in for-
13 eign countries, and shall be available to support forestry
14 and related natural resource activities outside the United
15 States and its territories and possessions, including tech-
16 nical assistance, education and training, and cooperation
17 with U.S., private, and international organizations. The
18 Forest Service, acting for the International Program, may
19 sign direct funding agreements with foreign governments
20 and institutions as well as other domestic agencies (includ-
21 ing the U.S. Agency for International Development, the
22 Department of State, and the Millennium Challenge Cor-
23 poration), U.S. private sector firms, institutions and orga-
24 nizations to provide technical assistance and training pro-
25 grams overseas on forestry and rangeland management.

1 Funds appropriated to the Forest Service shall be
2 available for expenditure or transfer to the Department
3 of the Interior, Bureau of Land Management, for removal,
4 preparation, and adoption of excess wild horses and burros
5 from National Forest System lands, and for the perform-
6 ance of cadastral surveys to designate the boundaries of
7 such lands.

8 None of the funds made available to the Forest Serv-
9 ice in this Act or any other Act with respect to any fiscal
10 year shall be subject to transfer under the provisions of
11 section 702(b) of the Department of Agriculture Organic
12 Act of 1944 (7 U.S.C. 2257), section 442 of Public Law
13 106–224 (7 U.S.C. 7772), or section 10417(b) of Public
14 Law 107–171 (7 U.S.C. 8316(b)).

15 Not more than \$82,000,000 of funds available to the
16 Forest Service shall be transferred to the Working Capital
17 Fund of the Department of Agriculture and not more than
18 \$14,500,000 of funds available to the Forest Service shall
19 be transferred to the Department of Agriculture for De-
20 partment Reimbursable Programs, commonly referred to
21 as Greenbook charges. Nothing in this paragraph shall
22 prohibit or limit the use of reimbursable agreements re-
23 quested by the Forest Service in order to obtain informa-
24 tion technology services, including telecommunications and

1 system modifications or enhancements, from the Working
2 Capital Fund of the Department of Agriculture.

3 Of the funds available to the Forest Service, up to
4 \$5,000,000 shall be available for priority projects within
5 the scope of the approved budget, which shall be carried
6 out by the Youth Conservation Corps and shall be carried
7 out under the authority of the Public Lands Corps Act
8 of 1993 (16 U.S.C. 1721 et seq.).

9 Of the funds available to the Forest Service, \$4,000
10 is available to the Chief of the Forest Service for official
11 reception and representation expenses.

12 Pursuant to sections 405(b) and 410(b) of Public
13 Law 101–593, of the funds available to the Forest Service,
14 up to \$3,000,000 may be advanced in a lump sum to the
15 National Forest Foundation to aid conservation partner-
16 ship projects in support of the Forest Service mission,
17 without regard to when the Foundation incurs expenses,
18 for projects on or benefitting National Forest System
19 lands or related to Forest Service programs: *Provided,*
20 That of the Federal funds made available to the Founda-
21 tion, no more than \$300,000 shall be available for admin-
22 istrative expenses: *Provided further,* That the Foundation
23 shall obtain, by the end of the period of Federal financial
24 assistance, private contributions to match funds made
25 available by the Forest Service on at least a one-for-one

1 basis: *Provided further*, That the Foundation may transfer
2 Federal funds to a Federal or a non-Federal recipient for
3 a project at the same rate that the recipient has obtained
4 the non-Federal matching funds.

5 Pursuant to section 2(b)(2) of Public Law 98–244,
6 up to \$3,000,000 of the funds available to the Forest
7 Service may be advanced to the National Fish and Wildlife
8 Foundation in a lump sum to aid cost-share conservation
9 projects, without regard to when expenses are incurred,
10 on or benefitting National Forest System lands or related
11 to Forest Service programs: *Provided*, That such funds
12 shall be matched on at least a one-for-one basis by the
13 Foundation or its sub-recipients: *Provided further*, That
14 the Foundation may transfer Federal funds to a Federal
15 or non-Federal recipient for a project at the same rate
16 that the recipient has obtained the non-Federal matching
17 funds.

18 Funds appropriated to the Forest Service shall be
19 available for interactions with and providing technical as-
20 sistance to rural communities and natural resource-based
21 businesses for sustainable rural development purposes.

22 Funds appropriated to the Forest Service shall be
23 available for payments to counties within the Columbia
24 River Gorge National Scenic Area, pursuant to section

1 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–
2 663.

3 Any funds appropriated to the Forest Service may
4 be used to meet the non-Federal share requirement in sec-
5 tion 502(c) of the Older Americans Act of 1965 (42
6 U.S.C. 3056(c)(2)).

7 The Forest Service shall not assess funds for the pur-
8 pose of performing fire, administrative, and other facilities
9 maintenance and decommissioning.

10 Notwithstanding any other provision of law, of any
11 appropriations or funds available to the Forest Service,
12 not to exceed \$500,000 may be used to reimburse the Of-
13 fice of the General Counsel (OGC), Department of Agri-
14 culture, for travel and related expenses incurred as a re-
15 sult of OGC assistance or participation requested by the
16 Forest Service at meetings, training sessions, management
17 reviews, land purchase negotiations and similar matters
18 unrelated to civil litigation. Future budget justifications
19 for both the Forest Service and the Department of Agri-
20 culture should clearly display the sums previously trans-
21 ferred and the sums requested for transfer.

22 An eligible individual who is employed in any project
23 funded under title V of the Older Americans Act of 1965
24 (42 U.S.C. 3056 et seq.) and administered by the Forest

1 Service shall be considered to be a Federal employee for
2 purposes of chapter 171 of title 28, United States Code.

3 Notwithstanding any other provision of this Act,
4 through the Office of Budget and Program Analysis, the
5 Forest Service shall report no later than 30 business days
6 following the close of each fiscal quarter all current and
7 prior year unobligated balances, by fiscal year, budget line
8 item and account, to the House and Senate Committees
9 on Appropriations.

10 DEPARTMENT OF HEALTH AND HUMAN
11 SERVICES

12 INDIAN HEALTH SERVICE

13 INDIAN HEALTH SERVICES

14 For expenses necessary to carry out the Act of Au-
15 gust 5, 1954 (68 Stat. 674), the Indian Self-Determina-
16 tion and Education Assistance Act, the Indian Health
17 Care Improvement Act, and titles II and III of the Public
18 Health Service Act with respect to the Indian Health Serv-
19 ice, \$4,315,205,000 to remain available until September
20 30, 2021, except as otherwise provided herein, together
21 with payments received during the fiscal year pursuant to
22 sections 231(b) and 233 of the Public Health Service Act
23 (42 U.S.C. 238(b) and 238b), for services furnished by
24 the Indian Health Service: *Provided*, That funds made
25 available to tribes and tribal organizations through con-

1 tracts, grant agreements, or any other agreements or com-
2 pacts authorized by the Indian Self-Determination and
3 Education Assistance Act of 1975 (25 U.S.C. 450), shall
4 be deemed to be obligated at the time of the grant or con-
5 tract award and thereafter shall remain available to the
6 tribe or tribal organization without fiscal year limitation:
7 *Provided further*, That \$2,000,000 shall be available for
8 grants or contracts with public or private institutions to
9 provide alcohol or drug treatment services to Indians, in-
10 cluding alcohol detoxification services: *Provided further*,
11 That \$964,819,000 for Purchased/Referred Care, includ-
12 ing \$53,000,000 for the Indian Catastrophic Health
13 Emergency Fund, shall remain available until expended:
14 *Provided further*, That of the funds provided, up to
15 \$40,000,000 shall remain available until expended for im-
16 plementation of the loan repayment program under section
17 108 of the Indian Health Care Improvement Act: *Provided*
18 *further*, That of the funds provided, \$125,000,000 shall
19 remain available until expended to supplement funds avail-
20 able for operational costs at tribal clinics operated under
21 an Indian Self-Determination and Education Assistance
22 Act compact or contract where health care is delivered in
23 space acquired through a full service lease, which is not
24 eligible for maintenance and improvement and equipment
25 funds from the Indian Health Service, and \$58,000,000

1 shall be for costs related to or resulting from accreditation
2 emergencies, including supplementing activities funded
3 under the heading “Indian Health Facilities,” of which up
4 to \$4,000,000 may be used to supplement amounts other-
5 wise available for Purchased/Referred Care: *Provided fur-*
6 *ther*, That the amounts collected by the Federal Govern-
7 ment as authorized by sections 104 and 108 of the Indian
8 Health Care Improvement Act (25 U.S.C. 1613a and
9 1616a) during the preceding fiscal year for breach of con-
10 tracts shall be deposited in the Fund authorized by section
11 108A of that Act (25 U.S.C. 1616a–1) and shall remain
12 available until expended and, notwithstanding section
13 108A(c) of that Act (25 U.S.C. 1616a–1(c)), funds shall
14 be available to make new awards under the loan repay-
15 ment and scholarship programs under sections 104 and
16 108 of that Act (25 U.S.C. 1613a and 1616a): *Provided*
17 *further*, That the amounts made available within this ac-
18 count for the Substance Abuse and Suicide Prevention
19 Program, for Opioid Prevention, Treatment and Recovery
20 Services, for the Domestic Violence Prevention Program,
21 for the Zero Suicide Initiative, for the housing subsidy au-
22 thority for civilian employees, for Aftercare Pilot Pro-
23 grams at Youth Regional Treatment Centers, for trans-
24 formation and modernization costs of the Indian Health
25 Service Electronic Health Record system, for national

1 quality and oversight activities, to improve collections from
2 public and private insurance at Indian Health Service and
3 tribally operated facilities, and for accreditation emer-
4 gencies shall be allocated at the discretion of the Director
5 of the Indian Health Service and shall remain available
6 until expended: *Provided further*, That funds provided in
7 this Act may be used for annual contracts and grants that
8 fall within 2 fiscal years, provided the total obligation is
9 recorded in the year the funds are appropriated: *Provided*
10 *further*, That the amounts collected by the Secretary of
11 Health and Human Services under the authority of title
12 IV of the Indian Health Care Improvement Act (25 U.S.C.
13 1613) shall remain available until expended for the pur-
14 pose of achieving compliance with the applicable condi-
15 tions and requirements of titles XVIII and XIX of the So-
16 cial Security Act, except for those related to the planning,
17 design, or construction of new facilities: *Provided further*,
18 That funding contained herein for scholarship programs
19 under the Indian Health Care Improvement Act (25
20 U.S.C. 1613) shall remain available until expended: *Pro-*
21 *vided further*, That amounts received by tribes and tribal
22 organizations under title IV of the Indian Health Care Im-
23 provement Act shall be reported and accounted for and
24 available to the receiving tribes and tribal organizations
25 until expended: *Provided further*, That the Bureau of In-

1 dian Affairs may collect from the Indian Health Service,
2 and from tribes and tribal organizations operating health
3 facilities pursuant to Public Law 93–638, such individ-
4 ually identifiable health information relating to disabled
5 children as may be necessary for the purpose of carrying
6 out its functions under the Individuals with Disabilities
7 Education Act (20 U.S.C. 1400 et seq.): *Provided further*,
8 That of the funds provided, \$72,280,000 is for the Indian
9 Health Care Improvement Fund and may be used, as
10 needed, to carry out activities typically funded under the
11 Indian Health Facilities account: *Provided further*, That
12 none of the funds appropriated by this Act to the Indian
13 Health Service for the Electronic Health Record system
14 shall be available for obligation or expenditure for the se-
15 lection or implementation of a new Information Tech-
16 nology infrastructure system, unless the Committees on
17 Appropriations of the House of Representatives and the
18 Senate are consulted 90 days in advance of such obliga-
19 tion.

20 CONTRACT SUPPORT COSTS

21 For payments to tribes and tribal organizations for
22 contract support costs associated with Indian Self-Deter-
23 mination and Education Assistance Act agreements with
24 the Indian Health Service for fiscal year 2020, such sums
25 as may be necessary: *Provided*, That notwithstanding any

1 other provision of law, no amounts made available under
2 this heading shall be available for transfer to another
3 budget account.

4 INDIAN HEALTH FACILITIES

5 For construction, repair, maintenance, improvement,
6 and equipment of health and related auxiliary facilities,
7 including quarters for personnel; preparation of plans,
8 specifications, and drawings; acquisition of sites, purchase
9 and erection of modular buildings, and purchases of trail-
10 ers; and for provision of domestic and community sanita-
11 tion facilities for Indians, as authorized by section 7 of
12 the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian
13 Self-Determination Act, and the Indian Health Care Im-
14 provement Act, and for expenses necessary to carry out
15 such Acts and titles II and III of the Public Health Serv-
16 ice Act with respect to environmental health and facilities
17 support activities of the Indian Health Service,
18 \$911,889,000 to remain available until expended: *Pro-*
19 *vided*, That notwithstanding any other provision of law,
20 funds appropriated for the planning, design, construction,
21 renovation or expansion of health facilities for the benefit
22 of an Indian tribe or tribes may be used to purchase land
23 on which such facilities will be located: *Provided further*,
24 That not to exceed \$500,000 may be used by the Indian
25 Health Service to purchase TRANSAM equipment from

1 the Department of Defense for distribution to the Indian
2 Health Service and tribal facilities: *Provided further*, That
3 none of the funds appropriated to the Indian Health Serv-
4 ice may be used for sanitation facilities construction for
5 new homes funded with grants by the housing programs
6 of the United States Department of Housing and Urban
7 Development: *Provided further*, That not to exceed
8 \$2,700,000 from this account and the “Indian Health
9 Services” account may be used by the Indian Health Serv-
10 ice to obtain ambulances for the Indian Health Service
11 and tribal facilities in conjunction with an existing inter-
12 agency agreement between the Indian Health Service and
13 the General Services Administration: *Provided further*,
14 That not to exceed \$500,000 may be placed in a Demoli-
15 tion Fund, to remain available until expended, and be used
16 by the Indian Health Service for the demolition of Federal
17 buildings.

18 ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

19 Appropriations provided in this Act to the Indian
20 Health Service shall be available for services as authorized
21 by 5 U.S.C. 3109 at rates not to exceed the per diem rate
22 equivalent to the maximum rate payable for senior-level
23 positions under 5 U.S.C. 5376; hire of passenger motor
24 vehicles and aircraft; purchase of medical equipment; pur-
25 chase of reprints; purchase, renovation and erection of

1 modular buildings and renovation of existing facilities;
2 payments for telephone service in private residences in the
3 field, when authorized under regulations approved by the
4 Secretary of Health and Human Services; uniforms or al-
5 lowances therefor as authorized by 5 U.S.C. 5901–5902;
6 and for expenses of attendance at meetings that relate to
7 the functions or activities of the Indian Health Service:
8 *Provided*, That in accordance with the provisions of the
9 Indian Health Care Improvement Act, non-Indian patients
10 may be extended health care at all tribally administered
11 or Indian Health Service facilities, subject to charges, and
12 the proceeds along with funds recovered under the Federal
13 Medical Care Recovery Act (42 U.S.C. 2651–2653) shall
14 be credited to the account of the facility providing the
15 service and shall be available without fiscal year limitation:
16 *Provided further*, That notwithstanding any other law or
17 regulation, funds transferred from the Department of
18 Housing and Urban Development to the Indian Health
19 Service shall be administered under Public Law 86–121,
20 the Indian Sanitation Facilities Act and Public Law 93–
21 638: *Provided further*, That funds appropriated to the In-
22 dian Health Service in this Act, except those used for ad-
23 ministrative and program direction purposes, shall not be
24 subject to limitations directed at curtailing Federal travel
25 and transportation: *Provided further*, That none of the

1 funds made available to the Indian Health Service in this
2 Act shall be used for any assessments or charges by the
3 Department of Health and Human Services unless identi-
4 fied in the budget justification and provided in this Act,
5 or approved by the House and Senate Committees on Ap-
6 propriations through the reprogramming process: *Pro-*
7 *vided further*, That notwithstanding any other provision
8 of law, funds previously or herein made available to a tribe
9 or tribal organization through a contract, grant, or agree-
10 ment authorized by title I or title V of the Indian Self-
11 Determination and Education Assistance Act of 1975 (25
12 U.S.C. 450 et seq.), may be deobligated and reobligated
13 to a self-determination contract under title I, or a self-
14 governance agreement under title V of such Act and there-
15 after shall remain available to the tribe or tribal organiza-
16 tion without fiscal year limitation: *Provided further*, That
17 none of the funds made available to the Indian Health
18 Service in this Act shall be used to implement the final
19 rule published in the Federal Register on September 16,
20 1987, by the Department of Health and Human Services,
21 relating to the eligibility for the health care services of
22 the Indian Health Service until the Indian Health Service
23 has submitted a budget request reflecting the increased
24 costs associated with the proposed final rule, and such re-
25 quest has been included in an appropriations Act and en-

1 acted into law: *Provided further*, That with respect to func-
2 tions transferred by the Indian Health Service to tribes
3 or tribal organizations, the Indian Health Service is au-
4 thorized to provide goods and services to those entities on
5 a reimbursable basis, including payments in advance with
6 subsequent adjustment, and the reimbursements received
7 therefrom, along with the funds received from those enti-
8 ties pursuant to the Indian Self-Determination Act, may
9 be credited to the same or subsequent appropriation ac-
10 count from which the funds were originally derived, with
11 such amounts to remain available until expended: *Provided*
12 *further*, That reimbursements for training, technical as-
13 sistance, or services provided by the Indian Health Service
14 will contain total costs, including direct, administrative,
15 and overhead costs associated with the provision of goods,
16 services, or technical assistance: *Provided further*, That
17 the Indian Health Service may provide to civilian medical
18 personnel serving in hospitals operated by the Indian
19 Health Service housing allowances equivalent to those that
20 would be provided to members of the Commissioned Corps
21 of the United States Public Health Service serving in simi-
22 lar positions at such hospitals: *Provided further*, That the
23 appropriation structure for the Indian Health Service may
24 not be altered without advance notification to the House
25 and Senate Committees on Appropriations.

1 NATIONAL INSTITUTES OF HEALTH
2 NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH
3 SCIENCES

4 For necessary expenses for the National Institute of
5 Environmental Health Sciences in carrying out activities
6 set forth in section 311(a) of the Comprehensive Environ-
7 mental Response, Compensation, and Liability Act of
8 1980 (42 U.S.C. 9660(a)) and section 126(g) of the
9 Superfund Amendments and Reauthorization Act of 1986,
10 \$81,000,000.

11 AGENCY FOR TOXIC SUBSTANCES AND DISEASE
12 REGISTRY
13 TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC
14 HEALTH

15 For necessary expenses for the Agency for Toxic Sub-
16 stances and Disease Registry (ATSDR) in carrying out
17 activities set forth in sections 104(i) and 111(c)(4) of the
18 Comprehensive Environmental Response, Compensation,
19 and Liability Act of 1980 (CERCLA) and section 3019
20 of the Solid Waste Disposal Act, \$76,691,000: *Provided*,
21 That notwithstanding any other provision of law, in lieu
22 of performing a health assessment under section 104(i)(6)
23 of CERCLA, the Administrator of ATSDR may conduct
24 other appropriate health studies, evaluations, or activities,
25 including, without limitation, biomedical testing, clinical

1 evaluations, medical monitoring, and referral to accredited
2 healthcare providers: *Provided further*, That in performing
3 any such health assessment or health study, evaluation,
4 or activity, the Administrator of ATSDR shall not be
5 bound by the deadlines in section 104(i)(6)(A) of
6 CERCLA: *Provided further*, That none of the funds appro-
7 priated under this heading shall be available for ATSDR
8 to issue in excess of 40 toxicological profiles pursuant to
9 section 104(i) of CERCLA during fiscal year 2020, and
10 existing profiles may be updated as necessary.

11 OTHER RELATED AGENCIES

12 EXECUTIVE OFFICE OF THE PRESIDENT

13 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

14 ENVIRONMENTAL QUALITY

15 For necessary expenses to continue functions as-
16 signed to the Council on Environmental Quality and Office
17 of Environmental Quality pursuant to the National Envi-
18 ronmental Policy Act of 1969, the Environmental Quality
19 Improvement Act of 1970, and Reorganization Plan No.
20 1 of 1977, and not to exceed \$750 for official reception
21 and representation expenses, \$2,994,000: *Provided*, That
22 notwithstanding section 202 of the National Environ-
23 mental Policy Act of 1970, the Council shall consist of
24 one member, appointed by the President, by and with the

1 advice and consent of the Senate, serving as chairman and
2 exercising all powers, functions, and duties of the Council.

3 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

4 SALARIES AND EXPENSES

5 For necessary expenses in carrying out activities pur-
6 suant to section 112(r)(6) of the Clean Air Act, including
7 hire of passenger vehicles, uniforms or allowances there-
8 for, as authorized by 5 U.S.C. 5901–5902, and for serv-
9 ices authorized by 5 U.S.C. 3109 but at rates for individ-
10 uals not to exceed the per diem equivalent to the maximum
11 rate payable for senior level positions under 5 U.S.C.
12 5376, \$12,000,000: *Provided*, That the Chemical Safety
13 and Hazard Investigation Board (Board) shall have not
14 more than three career Senior Executive Service positions:
15 *Provided further*, That notwithstanding any other provi-
16 sion of law, the individual appointed to the position of In-
17 spector General of the Environmental Protection Agency
18 (EPA) shall, by virtue of such appointment, also hold the
19 position of Inspector General of the Board: *Provided fur-*
20 *ther*, That notwithstanding any other provision of law, the
21 Inspector General of the Board shall utilize personnel of
22 the Office of Inspector General of EPA in performing the
23 duties of the Inspector General of the Board, and shall
24 not appoint any individuals to positions within the Board.

1 OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION
2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Navajo and
4 Hopi Indian Relocation as authorized by Public Law 93–
5 531, \$7,500,000, to remain available until expended: *Pro-*
6 *vided*, That funds provided in this or any other appropria-
7 tions Act are to be used to relocate eligible individuals and
8 groups including evictees from District 6, Hopi-partitioned
9 lands residents, those in significantly substandard hous-
10 ing, and all others certified as eligible and not included
11 in the preceding categories: *Provided further*, That none
12 of the funds contained in this or any other Act may be
13 used by the Office of Navajo and Hopi Indian Relocation
14 to evict any single Navajo or Navajo family who, as of
15 November 30, 1985, was physically domiciled on the lands
16 partitioned to the Hopi Tribe unless a new or replacement
17 home is provided for such household: *Provided further*,
18 That no relocatee will be provided with more than one new
19 or replacement home: *Provided further*, That the Office
20 shall relocate any certified eligible relocatees who have se-
21 lected and received an approved homesite on the Navajo
22 reservation or selected a replacement residence off the
23 Navajo reservation or on the land acquired pursuant to
24 section 11 of Public Law 93–531 (88 Stat. 1716).

1 INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE
2 CULTURE AND ARTS DEVELOPMENT
3 PAYMENT TO THE INSTITUTE

4 For payment to the Institute of American Indian and
5 Alaska Native Culture and Arts Development, as author-
6 ized by part A of title XV of Public Law 99–498 (20
7 U.S.C. 4411 et seq.), \$10,458,000, which shall become
8 available on July 1, 2020, and shall remain available until
9 September 30, 2021.

10 SMITHSONIAN INSTITUTION
11 SALARIES AND EXPENSES

12 For necessary expenses of the Smithsonian Institu-
13 tion, as authorized by law, including research in the fields
14 of art, science, and history; development, preservation, and
15 documentation of the National Collections; presentation of
16 public exhibits and performances; collection, preparation,
17 dissemination, and exchange of information and publica-
18 tions; conduct of education, training, and museum assist-
19 ance programs; maintenance, alteration, operation, lease
20 agreements of no more than 30 years, and protection of
21 buildings, facilities, and approaches; not to exceed
22 \$100,000 for services as authorized by 5 U.S.C. 3109; and
23 purchase, rental, repair, and cleaning of uniforms for em-
24 ployees, \$793,658,000, to remain available until Sep-
25 tember 30, 2021, except as otherwise provided herein; of

1 which not to exceed \$6,908,000 for the instrumentation
2 program, collections acquisition, exhibition reinstallation,
3 and the repatriation of skeletal remains program shall re-
4 main available until expended; and including such funds
5 as may be necessary to support American overseas re-
6 search centers: *Provided*, That funds appropriated herein
7 are available for advance payments to independent con-
8 tractors performing research services or participating in
9 official Smithsonian presentations: *Provided further*, That
10 the Smithsonian Institution may expend Federal appro-
11 priations designated in this Act for lease or rent payments,
12 as rent payable to the Smithsonian Institution, and such
13 rent payments may be deposited into the general trust
14 funds of the Institution to be available as trust funds for
15 expenses associated with the purchase of a portion of the
16 building at 600 Maryland Avenue, S.W., Washington,
17 D.C. to the extent that Federally supported activities will
18 be housed there: *Provided further*, That the use of such
19 amounts in the general trust funds of the Institution for
20 such purpose shall not be construed as Federal debt serv-
21 ice for, a Federal guarantee of, a transfer of risk to, or
22 an obligation of the Federal Government: *Provided further*,
23 That no appropriated funds may be used directly to serv-
24 ice debt which is incurred to finance the costs of acquiring
25 a portion of the building at 600 Maryland Avenue, S.W.,

1 Washington, D.C., or of planning, designing, and con-
2 structing improvements to such building: *Provided further*,
3 That any agreement entered into by the Smithsonian In-
4 stitution for the sale of its ownership interest, or any por-
5 tion thereof, in such building so acquired may not take
6 effect until the expiration of a 30 day period which begins
7 on the date on which the Secretary submits to the Com-
8 mittees on Appropriations of the House of Representatives
9 and Senate, the Committees on House Administration and
10 Transportation and Infrastructure of the House of Rep-
11 resentatives, and the Committee on Rules and Administra-
12 tion of the Senate a report, as outlined in the explanatory
13 statement described in section 4 (in the matter preceding
14 division A of this consolidated Act), on the intended sale.

15 FACILITIES CAPITAL

16 For necessary expenses of repair, revitalization, and
17 alteration of facilities owned or occupied by the Smithso-
18 nian Institution, by contract or otherwise, as authorized
19 by section 2 of the Act of August 22, 1949 (63 Stat. 623),
20 and for construction, including necessary personnel,
21 \$253,700,000, to remain available until expended, of
22 which not to exceed \$10,000 shall be for services as au-
23 thorized by 5 U.S.C. 3109.

1 NATIONAL GALLERY OF ART
2 SALARIES AND EXPENSES

3 For the upkeep and operations of the National Gal-
4 lery of Art, the protection and care of the works of art
5 therein, and administrative expenses incident thereto, as
6 authorized by the Act of March 24, 1937 (50 Stat. 51),
7 as amended by the public resolution of April 13, 1939
8 (Public Resolution 9, Seventy-sixth Congress), including
9 services as authorized by 5 U.S.C. 3109; payment in ad-
10 vance when authorized by the treasurer of the Gallery for
11 membership in library, museum, and art associations or
12 societies whose publications or services are available to
13 members only, or to members at a price lower than to the
14 general public; purchase, repair, and cleaning of uniforms
15 for guards, and uniforms, or allowances therefor, for other
16 employees as authorized by law (5 U.S.C. 5901–5902);
17 purchase or rental of devices and services for protecting
18 buildings and contents thereof, and maintenance, alter-
19 ation, improvement, and repair of buildings, approaches,
20 and grounds; and purchase of services for restoration and
21 repair of works of art for the National Gallery of Art by
22 contracts made, without advertising, with individuals,
23 firms, or organizations at such rates or prices and under
24 such terms and conditions as the Gallery may deem prop-
25 er, \$147,022,000, to remain available until September 30,

1 2021, of which not to exceed \$3,660,000 for the special
2 exhibition program shall remain available until expended.

3 REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

4 For necessary expenses of repair, restoration and
5 renovation of buildings, grounds and facilities owned or
6 occupied by the National Gallery of Art, by contract or
7 otherwise, for operating lease agreements of no more than
8 10 years, with no extensions or renewals beyond the 10
9 years, that address space needs created by the ongoing
10 renovations in the Master Facilities Plan, as authorized,
11 \$26,203,000, to remain available until expended: *Pro-*
12 *vided*, That of this amount, \$1,000,000 shall be available
13 for design of an off-site art storage facility in partnership
14 with the Smithsonian Institution: *Provided further*, That
15 contracts awarded for environmental systems, protection
16 systems, and exterior repair or renovation of buildings of
17 the National Gallery of Art may be negotiated with se-
18 lected contractors and awarded on the basis of contractor
19 qualifications as well as price.

20 JOHN F. KENNEDY CENTER FOR THE PERFORMING

21 ARTS

22 OPERATIONS AND MAINTENANCE

23 For necessary expenses for the operation, mainte-
24 nance and security of the John F. Kennedy Center for
25 the Performing Arts, \$25,690,000.

1 CAPITAL REPAIR AND RESTORATION

2 For necessary expenses for capital repair and restora-
3 tion of the existing features of the building and site of
4 the John F. Kennedy Center for the Performing Arts,
5 \$17,800,000, to remain available until expended.

6 WOODROW WILSON INTERNATIONAL CENTER FOR

7 SCHOLARS

8 SALARIES AND EXPENSES

9 For expenses necessary in carrying out the provisions
10 of the Woodrow Wilson Memorial Act of 1968 (82 Stat.
11 1356) including hire of passenger vehicles and services as
12 authorized by 5 U.S.C. 3109, \$14,000,000, to remain
13 available until September 30, 2021.

14 NATIONAL FOUNDATION ON THE ARTS AND THE

15 HUMANITIES

16 NATIONAL ENDOWMENT FOR THE ARTS

17 GRANTS AND ADMINISTRATION

18 For necessary expenses to carry out the National
19 Foundation on the Arts and the Humanities Act of 1965,
20 \$162,250,000 shall be available to the National Endow-
21 ment for the Arts for the support of projects and produc-
22 tions in the arts, including arts education and public out-
23 reach activities, through assistance to organizations and
24 individuals pursuant to section 5 of the Act, for program

1 support, and for administering the functions of the Act,
2 to remain available until expended.

3 NATIONAL ENDOWMENT FOR THE HUMANITIES

4 GRANTS AND ADMINISTRATION

5 For necessary expenses to carry out the National
6 Foundation on the Arts and the Humanities Act of 1965,
7 \$162,250,000 to remain available until expended, of which
8 \$147,750,000 shall be available for support of activities
9 in the humanities, pursuant to section 7(c) of the Act and
10 for administering the functions of the Act; and
11 \$14,500,000 shall be available to carry out the matching
12 grants program pursuant to section 10(a)(2) of the Act,
13 including \$12,500,000 for the purposes of section 7(h):
14 *Provided*, That appropriations for carrying out section
15 10(a)(2) shall be available for obligation only in such
16 amounts as may be equal to the total amounts of gifts,
17 bequests, devises of money, and other property accepted
18 by the chairman or by grantees of the National Endow-
19 ment for the Humanities under the provisions of sections
20 11(a)(2)(B) and 11(a)(3)(B) during the current and pre-
21 ceding fiscal years for which equal amounts have not pre-
22 viously been appropriated.

23 ADMINISTRATIVE PROVISIONS

24 None of the funds appropriated to the National
25 Foundation on the Arts and the Humanities may be used

1 to process any grant or contract documents which do not
2 include the text of 18 U.S.C. 1913: *Provided*, That none
3 of the funds appropriated to the National Foundation on
4 the Arts and the Humanities may be used for official re-
5 ception and representation expenses: *Provided further*,
6 That funds from nonappropriated sources may be used as
7 necessary for official reception and representation ex-
8 penses: *Provided further*, That the Chairperson of the Na-
9 tional Endowment for the Arts may approve grants of up
10 to \$10,000, if in the aggregate the amount of such grants
11 does not exceed 5 percent of the sums appropriated for
12 grantmaking purposes per year: *Provided further*, That
13 such small grant actions are taken pursuant to the terms
14 of an expressed and direct delegation of authority from
15 the National Council on the Arts to the Chairperson.

16 COMMISSION OF FINE ARTS

17 SALARIES AND EXPENSES

18 For expenses of the Commission of Fine Arts under
19 chapter 91 of title 40, United States Code, \$3,240,000:
20 *Provided*, That the Commission is authorized to charge
21 fees to cover the full costs of its publications, and such
22 fees shall be credited to this account as an offsetting col-
23 lection, to remain available until expended without further
24 appropriation: *Provided further*, That the Commission is
25 authorized to accept gifts, including objects, papers, art-

1 work, drawings and artifacts, that pertain to the history
2 and design of the Nation's Capital or the history and ac-
3 tivities of the Commission of Fine Arts, for the purpose
4 of artistic display, study, or education: *Provided further*,
5 That one-tenth of one percent of the funds provided under
6 this heading may be used for official reception and rep-
7 resentation expenses.

8 NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

9 For necessary expenses as authorized by Public Law
10 99–190 (20 U.S.C. 956a), \$5,000,000.

11 ADVISORY COUNCIL ON HISTORIC PRESERVATION

12 SALARIES AND EXPENSES

13 For necessary expenses of the Advisory Council on
14 Historic Preservation (Public Law 89–665), \$7,378,000.

15 NATIONAL CAPITAL PLANNING COMMISSION

16 SALARIES AND EXPENSES

17 For necessary expenses of the National Capital Plan-
18 ning Commission under chapter 87 of title 40, United
19 States Code, including services as authorized by 5 U.S.C.
20 3109, \$8,124,000: *Provided*, That one-quarter of 1 per-
21 cent of the funds provided under this heading may be used
22 for official reception and representational expenses associ-
23 ated with hosting international visitors engaged in the
24 planning and physical development of world capitals.

1 Suffrage Centennial Commission Act (section 431(a)(3) of
2 division G of Public Law 115–31), \$1,000,000, to remain
3 available until expended.

4 WORLD WAR I CENTENNIAL COMMISSION
5 SALARIES AND EXPENSES

6 Notwithstanding section 9 of the World War I Cen-
7 tennial Commission Act, as authorized by the World War
8 I Centennial Commission Act (Public Law 112–272) and
9 the Carl Levin and Howard P. “Buck” McKeon National
10 Defense Authorization Act for Fiscal Year 2015 (Public
11 Law 113–291), for necessary expenses of the World War
12 I Centennial Commission, \$7,000,000, to remain available
13 until September 30, 2021: *Provided*, That in addition to
14 the authority provided by section 6(g) of such Act, the
15 World War I Commission may accept money, in-kind per-
16 sonnel services, contractual support, or any appropriate
17 support from any executive branch agency for activities
18 of the Commission.

19 ALYCE SPOTTED BEAR AND WALTER SOBOLEFF
20 COMMISSION ON NATIVE CHILDREN
21 (INCLUDING TRANSFER OF FUNDS)

22 For necessary expenses of the Alyce Spotted Bear
23 and Walter Soboleff Commission on Native Children (re-
24 ferred to in this paragraph as the “Commission”),
25 \$500,000, to remain available until September 30, 2021:

1 *Provided*, That amounts made available to the Commission
2 under the heading “Department of the Interior—Depart-
3 mental Operations—Office of the Secretary—Depart-
4 mental Operations” in division E of the Consolidated Ap-
5 propriations Act, 2019 (Public Law 116–6) may be trans-
6 ferred to or merged with such amounts: *Provided further*,
7 That in addition to the authority provided by section
8 3(g)(5) and 3(h) of Public Law 114–244, the Commission
9 may hereafter accept in-kind personnel services, contrac-
10 tual support, or any appropriate support from any execu-
11 tive branch agency for activities of the Commission.

1 TITLE IV
2 GENERAL PROVISIONS
3 (INCLUDING TRANSFERS OF FUNDS)
4 RESTRICTION ON USE OF FUNDS

5 SEC. 401. No part of any appropriation contained in
6 this Act shall be available for any activity or the publica-
7 tion or distribution of literature that in any way tends to
8 promote public support or opposition to any legislative
9 proposal on which Congressional action is not complete
10 other than to communicate to Members of Congress as
11 described in 18 U.S.C. 1913.

12 OBLIGATION OF APPROPRIATIONS

13 SEC. 402. No part of any appropriation contained in
14 this Act shall remain available for obligation beyond the
15 current fiscal year unless expressly so provided herein.

16 DISCLOSURE OF ADMINISTRATIVE EXPENSES

17 SEC. 403. The amount and basis of estimated over-
18 head charges, deductions, reserves or holdbacks, including
19 working capital fund and cost pool charges, from pro-
20 grams, projects, activities and subactivities to support gov-
21 ernment-wide, departmental, agency, or bureau adminis-
22 trative functions or headquarters, regional, or central op-
23 erations shall be presented in annual budget justifications
24 and subject to approval by the Committees on Appropria-
25 tions of the House of Representatives and the Senate.

1 Changes to such estimates shall be presented to the Com-
2 mittees on Appropriations for approval.

3 MINING APPLICATIONS

4 SEC. 404. (a) LIMITATION OF FUNDS.—None of the
5 funds appropriated or otherwise made available pursuant
6 to this Act shall be obligated or expended to accept or
7 process applications for a patent for any mining or mill
8 site claim located under the general mining laws.

9 (b) EXCEPTIONS.—Subsection (a) shall not apply if
10 the Secretary of the Interior determines that, for the claim
11 concerned (1) a patent application was filed with the Sec-
12 retary on or before September 30, 1994; and (2) all re-
13 quirements established under sections 2325 and 2326 of
14 the Revised Statutes (30 U.S.C. 29 and 30) for vein or
15 lode claims, sections 2329, 2330, 2331, and 2333 of the
16 Revised Statutes (30 U.S.C. 35, 36, and 37) for placer
17 claims, and section 2337 of the Revised Statutes (30
18 U.S.C. 42) for mill site claims, as the case may be, were
19 fully complied with by the applicant by that date.

20 (c) REPORT.—On September 30, 2021, the Secretary
21 of the Interior shall file with the House and Senate Com-
22 mittees on Appropriations and the Committee on Natural
23 Resources of the House and the Committee on Energy and
24 Natural Resources of the Senate a report on actions taken
25 by the Department under the plan submitted pursuant to

1 section 314(c) of the Department of the Interior and Re-
2 lated Agencies Appropriations Act, 1997 (Public Law
3 104–208).

4 (d) MINERAL EXAMINATIONS.—In order to process
5 patent applications in a timely and responsible manner,
6 upon the request of a patent applicant, the Secretary of
7 the Interior shall allow the applicant to fund a qualified
8 third-party contractor to be selected by the Director of the
9 Bureau of Land Management to conduct a mineral exam-
10 ination of the mining claims or mill sites contained in a
11 patent application as set forth in subsection (b). The Bu-
12 reau of Land Management shall have the sole responsi-
13 bility to choose and pay the third-party contractor in ac-
14 cordance with the standard procedures employed by the
15 Bureau of Land Management in the retention of third-
16 party contractors.

17 CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

18 SEC. 405. Sections 405 and 406 of division F of the
19 Consolidated and Further Continuing Appropriations Act,
20 2015 (Public Law 113–235) shall continue in effect in fis-
21 cal year 2020.

22 CONTRACT SUPPORT COSTS, FISCAL YEAR 2020

23 LIMITATION

24 SEC. 406. Amounts provided by this Act for fiscal
25 year 2020 under the headings “Department of Health and

1 Human Services, Indian Health Service, Contract Support
2 Costs” and “Department of the Interior, Bureau of Indian
3 Affairs and Bureau of Indian Education, Contract Sup-
4 port Costs” are the only amounts available for contract
5 support costs arising out of self-determination or self-gov-
6 ernance contracts, grants, compacts, or annual funding
7 agreements for fiscal year 2020 with the Bureau of Indian
8 Affairs, Bureau of Indian Education, and the Indian
9 Health Service: *Provided*, That such amounts provided by
10 this Act are not available for payment of claims for con-
11 tract support costs for prior years, or for repayments of
12 payments for settlements or judgments awarding contract
13 support costs for prior years.

14 FOREST MANAGEMENT PLANS

15 SEC. 407. The Secretary of Agriculture shall not be
16 considered to be in violation of subparagraph 6(f)(5)(A)
17 of the Forest and Rangeland Renewable Resources Plan-
18 ning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because
19 more than 15 years have passed without revision of the
20 plan for a unit of the National Forest System. Nothing
21 in this section exempts the Secretary from any other re-
22 quirement of the Forest and Rangeland Renewable Re-
23 sources Planning Act (16 U.S.C. 1600 et seq.) or any
24 other law: *Provided*, That if the Secretary is not acting
25 expeditiously and in good faith, within the funding avail-

1 able, to revise a plan for a unit of the National Forest
2 System, this section shall be void with respect to such plan
3 and a court of proper jurisdiction may order completion
4 of the plan on an accelerated basis.

5 PROHIBITION WITHIN NATIONAL MONUMENTS

6 SEC. 408. No funds provided in this Act may be ex-
7 pended to conduct preleasing, leasing and related activities
8 under either the Mineral Leasing Act (30 U.S.C. 181 et
9 seq.) or the Outer Continental Shelf Lands Act (43 U.S.C.
10 1331 et seq.) within the boundaries of a National Monu-
11 ment established pursuant to the Act of June 8, 1906 (16
12 U.S.C. 431 et seq.) as such boundary existed on January
13 20, 2001, except where such activities are allowed under
14 the Presidential proclamation establishing such monu-
15 ment.

16 LIMITATION ON TAKINGS

17 SEC. 409. Unless otherwise provided herein, no funds
18 appropriated in this Act for the acquisition of lands or
19 interests in lands may be expended for the filing of dec-
20 larations of taking or complaints in condemnation without
21 the approval of the House and Senate Committees on Ap-
22 propriations: *Provided*, That this provision shall not apply
23 to funds appropriated to implement the Everglades Na-
24 tional Park Protection and Expansion Act of 1989, or to
25 funds appropriated for Federal assistance to the State of

1 Florida to acquire lands for Everglades restoration pur-
2 poses.

3 PROHIBITION ON NO-BID CONTRACTS

4 SEC. 410. None of the funds appropriated or other-
5 wise made available by this Act to executive branch agen-
6 cies may be used to enter into any Federal contract unless
7 such contract is entered into in accordance with the re-
8 quirements of Chapter 33 of title 41, United States Code,
9 or Chapter 137 of title 10, United States Code, and the
10 Federal Acquisition Regulation, unless—

11 (1) Federal law specifically authorizes a con-
12 tract to be entered into without regard for these re-
13 quirements, including formula grants for States, or
14 federally recognized Indian tribes;

15 (2) such contract is authorized by the Indian
16 Self-Determination and Education Assistance Act
17 (Public Law 93–638, 25 U.S.C. 450 et seq.) or by
18 any other Federal laws that specifically authorize a
19 contract within an Indian tribe as defined in section
20 4(e) of that Act (25 U.S.C. 450b(e)); or

21 (3) such contract was awarded prior to the date
22 of enactment of this Act.

23 POSTING OF REPORTS

24 SEC. 411. (a) Any agency receiving funds made avail-
25 able in this Act, shall, subject to subsections (b) and (c),

1 post on the public website of that agency any report re-
2 quired to be submitted by the Congress in this or any
3 other Act, upon the determination by the head of the agen-
4 cy that it shall serve the national interest.

5 (b) Subsection (a) shall not apply to a report if—

6 (1) the public posting of the report com-
7 promises national security; or

8 (2) the report contains proprietary information.

9 (c) The head of the agency posting such report shall
10 do so only after such report has been made available to
11 the requesting Committee or Committees of Congress for
12 no less than 45 days.

13 NATIONAL ENDOWMENT FOR THE ARTS GRANT

14 GUIDELINES

15 SEC. 412. Of the funds provided to the National En-
16 dowment for the Arts—

17 (1) The Chairperson shall only award a grant
18 to an individual if such grant is awarded to such in-
19 dividual for a literature fellowship, National Herit-
20 age Fellowship, or American Jazz Masters Fellow-
21 ship.

22 (2) The Chairperson shall establish procedures
23 to ensure that no funding provided through a grant,
24 except a grant made to a State or local arts agency,
25 or regional group, may be used to make a grant to

1 any other organization or individual to conduct ac-
2 tivity independent of the direct grant recipient.
3 Nothing in this subsection shall prohibit payments
4 made in exchange for goods and services.

5 (3) No grant shall be used for seasonal support
6 to a group, unless the application is specific to the
7 contents of the season, including identified programs
8 or projects.

9 NATIONAL ENDOWMENT FOR THE ARTS PROGRAM

10 PRIORITIES

11 SEC. 413. (a) In providing services or awarding fi-
12 nancial assistance under the National Foundation on the
13 Arts and the Humanities Act of 1965 from funds appro-
14 priated under this Act, the Chairperson of the National
15 Endowment for the Arts shall ensure that priority is given
16 to providing services or awarding financial assistance for
17 projects, productions, workshops, or programs that serve
18 underserved populations.

19 (b) In this section:

20 (1) The term “underserved population” means
21 a population of individuals, including urban minori-
22 ties, who have historically been outside the purview
23 of arts and humanities programs due to factors such
24 as a high incidence of income below the poverty line
25 or to geographic isolation.

1 (2) The term “poverty line” means the poverty
2 line (as defined by the Office of Management and
3 Budget, and revised annually in accordance with sec-
4 tion 673(2) of the Community Services Block Grant
5 Act (42 U.S.C. 9902(2))) applicable to a family of
6 the size involved.

7 (c) In providing services and awarding financial as-
8 sistance under the National Foundation on the Arts and
9 Humanities Act of 1965 with funds appropriated by this
10 Act, the Chairperson of the National Endowment for the
11 Arts shall ensure that priority is given to providing serv-
12 ices or awarding financial assistance for projects, produc-
13 tions, workshops, or programs that will encourage public
14 knowledge, education, understanding, and appreciation of
15 the arts.

16 (d) With funds appropriated by this Act to carry out
17 section 5 of the National Foundation on the Arts and Hu-
18 manities Act of 1965—

19 (1) the Chairperson shall establish a grant cat-
20 egory for projects, productions, workshops, or pro-
21 grams that are of national impact or availability or
22 are able to tour several States;

23 (2) the Chairperson shall not make grants ex-
24 ceeding 15 percent, in the aggregate, of such funds

1 to any single State, excluding grants made under the
2 authority of paragraph (1);

3 (3) the Chairperson shall report to the Con-
4 gress annually and by State, on grants awarded by
5 the Chairperson in each grant category under sec-
6 tion 5 of such Act; and

7 (4) the Chairperson shall encourage the use of
8 grants to improve and support community-based
9 music performance and education.

10 STATUS OF BALANCES OF APPROPRIATIONS

11 SEC. 414. The Department of the Interior, the Envi-
12 ronmental Protection Agency, the Forest Service, and the
13 Indian Health Service shall provide the Committees on
14 Appropriations of the House of Representatives and Sen-
15 ate quarterly reports on the status of balances of appro-
16 priations including all uncommitted, committed, and unob-
17 ligated funds in each program and activity within 60 days
18 of enactment of this Act.

19 ALYCE SPOTTED BEAR AND WALTER SOBOLEFF

20 COMMISSION ON NATIVE CHILDREN

21 SEC. 415. Section 3(a) of the Alyce Spotted Bear and
22 Walter Soboleff Commission on Native Children Act (Pub-
23 lic Law 114–244) is amended by striking “in the Office
24 of Tribal Justice of the Department of Justice.”.

1 FOREST SERVICE COMMUNICATIONS SITE
2 ADMINISTRATION

3 SEC. 416. Subsection (f) of section 8705 of the Agri-
4 culture Improvement Act of 2018 (Public Law 115–334)
5 is amended by striking paragraph (2) and inserting the
6 following:

7 “(2) REQUIREMENTS FOR FEES COLLECTED.—
8 Fees collected by the Forest Service under sub-
9 section (c)(3) shall be—

10 “(A) collected only to the extent provided
11 in advance in appropriations Acts;

12 “(B) based on the costs described in sub-
13 section (c)(3); and

14 “(C) competitively neutral, technology neu-
15 tral, and nondiscriminatory with respect to
16 other users of the communications site.”.

17 EXTENSION OF GRAZING PERMITS

18 SEC. 417. The terms and conditions of section 325
19 of Public Law 108–108 (117 Stat. 1307), regarding graz-
20 ing permits issued by the Forest Service on any lands not
21 subject to administration under section 402 of the Federal
22 Lands Policy and Management Act (43 U.S.C. 1752),
23 shall remain in effect for fiscal year 2020.

1 horse or burro (as defined in section 2 of Public Law 92–
2 195 (commonly known as the “Wild Free-Roaming Horses
3 and Burros Act”) (16 U.S.C. 1332)).

4 (d) A Federal, State, or local government agency re-
5 ceiving an excess wild horse or burro pursuant to sub-
6 section (a) shall not—

7 (1) destroy the horse or burro in a manner that
8 results in the destruction of the horse or burro into
9 a commercial product;

10 (2) sell or otherwise transfer the horse or burro
11 in a manner that results in the destruction of the
12 horse or burro for processing into a commercial
13 product; or

14 (3) euthanize the horse or burro, except on the
15 recommendation of a licensed veterinarian in a case
16 of severe injury, illness, or advanced age.

17 (e) Amounts appropriated by this Act shall not be
18 available for—

19 (1) the destruction of any healthy, unadopted,
20 and wild horse or burro under the jurisdiction of the
21 Secretary concerned (including a contractor); or

22 (2) the sale of a wild horse or burro that results
23 in the destruction of the wild horse or burro for
24 processing into a commercial product.

1 FOREST SERVICE FACILITY REALIGNMENT AND
2 ENHANCEMENT AUTHORIZATION EXTENSION

3 SEC. 420. Section 503(f) of Public Law 109–54 (16
4 U.S.C. 580d note) shall be applied by substituting “Sep-
5 tember 30, 2020” for “September 30, 2019”.

6 USE OF AMERICAN IRON AND STEEL

7 SEC. 421. (a)(1) None of the funds made available
8 by a State water pollution control revolving fund as au-
9 thorized by section 1452 of the Safe Drinking Water Act
10 (42 U.S.C. 300j–12) shall be used for a project for the
11 construction, alteration, maintenance, or repair of a public
12 water system or treatment works unless all of the iron and
13 steel products used in the project are produced in the
14 United States.

15 (2) In this section, the term “iron and steel” products
16 means the following products made primarily of iron or
17 steel: lined or unlined pipes and fittings, manhole covers
18 and other municipal castings, hydrants, tanks, flanges,
19 pipe clamps and restraints, valves, structural steel, rein-
20 forced precast concrete, and construction materials.

21 (b) Subsection (a) shall not apply in any case or cat-
22 egory of cases in which the Administrator of the Environ-
23 mental Protection Agency (in this section referred to as
24 the “Administrator”) finds that—

1 (1) applying subsection (a) would be incon-
2 sistent with the public interest;

3 (2) iron and steel products are not produced in
4 the United States in sufficient and reasonably avail-
5 able quantities and of a satisfactory quality; or

6 (3) inclusion of iron and steel products pro-
7 duced in the United States will increase the cost of
8 the overall project by more than 25 percent.

9 (c) If the Administrator receives a request for a waiv-
10 er under this section, the Administrator shall make avail-
11 able to the public on an informal basis a copy of the re-
12 quest and information available to the Administrator con-
13 cerning the request, and shall allow for informal public
14 input on the request for at least 15 days prior to making
15 a finding based on the request. The Administrator shall
16 make the request and accompanying information available
17 by electronic means, including on the official public Inter-
18 net Web site of the Environmental Protection Agency.

19 (d) This section shall be applied in a manner con-
20 sistent with United States obligations under international
21 agreements.

22 (e) The Administrator may retain up to 0.25 percent
23 of the funds appropriated in this Act for the Clean and
24 Drinking Water State Revolving Funds for carrying out

1 the provisions described in subsection (a)(1) for manage-
2 ment and oversight of the requirements of this section.

3 RESCISSION OF FUNDS

4 SEC. 422. Any amounts made available for fiscal year
5 2020 pursuant to section 8705(f)(2) of Public Law 115–
6 334 as amended by this Act, are hereby rescinded.

7 JOHN F. KENNEDY CENTER REAUTHORIZATION

8 SEC. 423. Section 13 of the John F. Kennedy Center
9 Act (20 U.S.C. 76r) is amended by striking subsections
10 (a) and (b) and inserting the following:

11 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
12 There is authorized to be appropriated to the Board to
13 carry out section 4(a)(1)(H), \$25,690,000 for fiscal year
14 2020.

15 “(b) CAPITAL PROJECTS.—There is authorized to be
16 appropriated to the Board to carry out subparagraphs (F)
17 and (G) of section 4(a)(1), \$17,800,000 for fiscal year
18 2020.”.

19 LOCAL COOPERATOR TRAINING AGREEMENTS AND TRANS-
20 FERS OF EXCESS EQUIPMENT AND SUPPLIES FOR
21 WILDFIRES

22 SEC. 424. The Secretary of the Interior is authorized
23 to enter into grants and cooperative agreements with vol-
24 unteer fire departments, rural fire departments, rangeland
25 fire protection associations, and similar organizations to

1 provide for wildland fire training and equipment, including
2 supplies and communication devices. Notwithstanding
3 121(c) of title 40, United States Code, or section 521 of
4 title 40, United States Code, the Secretary is further au-
5 thorized to transfer title to excess Department of the Inte-
6 rior firefighting equipment no longer needed to carry out
7 the functions of the Department's wildland fire manage-
8 ment program to such organizations.

9 RECREATION FEES

10 SEC. 425. Section 810 of the Federal Lands Recre-
11 ation Enhancement Act (16 U.S.C. 6809) shall be applied
12 by substituting "October 1, 2021" for "September 30,
13 2019".

14 REPROGRAMMING GUIDELINES

15 SEC. 426. None of the funds made available in this
16 Act, in this and prior fiscal years, may be reprogrammed
17 without the advance approval of the House and Senate
18 Committees on Appropriations in accordance with the re-
19 programming procedures contained in the explanatory
20 statement described in section 4 (in the matter preceding
21 division A of this consolidated Act).

22 PROJECT INFORMATION

23 SEC. 427. (a) Within 60 days of the submission of
24 the fiscal year 2021 budget or by April 1, 2020, whichever
25 comes first, the Secretary of the Interior and the Sec-

1 retary of Agriculture shall submit to the Committees on
2 Appropriations of the House of Representatives and the
3 Senate prioritized and detailed lists of Federal land acqui-
4 sition projects, and Forest Legacy projects, that have been
5 identified by each land management Agency.

6 (b) The Federal land acquisition project lists required
7 by each Agency in subsection (a) shall include individual
8 projects for the National Park Service, the U.S. Fish and
9 Wildlife Service, the Bureau of Land Management, and
10 the U.S. Forest Service, and shall total for each agency
11 no less than 150 percent of the amount enacted for that
12 agency for the previous fiscal year.

13 LOCAL CONTRACTORS

14 SEC. 428. Section 412 of Division E of Public Law
15 112–74 shall be applied by substituting “fiscal year 2020”
16 for “fiscal year 2019”.

17 SHASTA-TRINITY MARINA FEE AUTHORITY

18 AUTHORIZATION EXTENSION

19 SEC. 429. Section 422 of division F of Public Law
20 110–161 (121 Stat 1844), as amended, shall be applied
21 by substituting “fiscal year 2020” for “fiscal year 2019”.

22 INTERPRETIVE ASSOCIATION AUTHORIZATION EXTENSION

23 SEC. 430. Section 426 of division G of Public Law
24 113–76 (16 U.S.C. 565a–1 note) shall be applied by sub-

1 stituting “September 30, 2020” for “September 30,
2 2019”.

3 PUERTO RICO SCHOOLING AUTHORIZATION EXTENSION

4 SEC. 431. The authority provided by the 19th un-
5 numbered paragraph under heading “Administrative Pro-
6 visions, Forest Service” in title III of Public Law 109–
7 54, as amended, shall be applied by substituting “fiscal
8 year 2020” for “fiscal year 2019”.

9 FOREST BOTANICAL PRODUCTS FEE COLLECTION

10 AUTHORIZATION EXTENSION

11 SEC. 432. Section 339 of the Department of the Inte-
12 rior and Related Agencies Appropriations Act, 2000 (as
13 enacted into law by Public Law 106–113; 16 U.S.C. 528
14 note), as amended by section 335(6) of Public Law 108–
15 108 and section 432 of Public Law 113–76, shall be ap-
16 plied by substituting “fiscal year 2020” for “fiscal year
17 2019”.

18 ALASKA NATIVE REGIONAL HEALTH ENTITIES

19 AUTHORIZATION EXTENSION

20 SEC. 433. Section 424(a) of the Consolidated Appro-
21 priations Act, 2014 (Public Law 113–76), as amended by
22 section 428 of the Consolidated Appropriations Act, 2018
23 (Public Law 115–141), shall be applied by substituting
24 “October 1, 2020” for “October 1, 2019”.

1 CHESAPEAKE BAY INITIATIVE

2 SEC. 434. Section 502(c) of the Chesapeake Bay Ini-
3 tiative Act of 1998 (Public Law 105–312; 54 U.S.C.
4 320101 note) shall be applied by substituting “fiscal year
5 2020” for “fiscal year 2019”.

6 FOREST SERVICE BUDGET RESTRUCTURE

7 SEC. 435. (a) The Secretary of Agriculture shall es-
8 tablish the “Forest Service Operations” account not later
9 than October 1, 2020, for the necessary expenses of the
10 Forest Service: (1) for the base salary and expenses of
11 employees in the Chief’s Office, the Work Environment
12 and Performance Office, the Business Operations Deputy
13 Area, and the Chief Financial Officer’s Office to carry out
14 administrative and general management support func-
15 tions; (2) for the costs of facility maintenance, repairs,
16 and leases for buildings and sites; (3) for the costs of util-
17 ity and communication expenses, business services, and in-
18 formation technology, including cybersecurity require-
19 ments; and (4) for such other administrative support func-
20 tion expenses necessary for the operation of the Forest
21 Service.

22 (b) Subsequent to the establishment of the account
23 under subsection (a), the Secretary of Agriculture may
24 execute appropriations of the Department for fiscal year
25 2021 as provided pursuant to such subsection, including

1 any continuing appropriations made available for fiscal
2 year 2021 before enactment of a regular appropriations
3 Act.

4 (c) Notwithstanding any other provision of law, the
5 Secretary of Agriculture may transfer any unobligated bal-
6 ances made available to the Forest Service by this or prior
7 appropriations Acts to the account established under sub-
8 section (a) to carry out such subsection, and shall notify
9 the Committees on Appropriations of the Senate and the
10 House of Representatives within 5 days of such transfer:
11 *Provided*, That no amounts may be transferred from
12 amounts that were made available for wildfire suppression
13 operations pursuant to section 251(b)(2)(F) of the Bal-
14 anced Budget and Emergency Deficit Control Act of 1985.

15 (d)(1) Not later than November 1, 2020, the Sec-
16 retary of Agriculture shall establish the preliminary base-
17 line for application of transfer authorities and submit the
18 report specified in paragraph (2) to the Committees on
19 Appropriations for the Senate and the House of Rep-
20 resentatives.

21 (2) The report required in this subsection shall
22 include—

23 (A) a delineation of the amount and ac-
24 count of each transfer made pursuant to sub-
25 section (b) or (c);

1 (B) a table for each appropriation with a
2 separate column to display the fiscal year 2020
3 enacted levels, adjustments made by Congress,
4 adjustments due to enacted rescissions, if ap-
5 propriate, and adjustments made pursuant to
6 the transfer authority in subsection (b) or (c),
7 and the resulting fiscal year level;

8 (C) a delineation in the table for each ap-
9 propriation, adjusted as described in paragraph
10 (2), both by budget activity and program,
11 project, and activity as detailed in the Budget
12 Appendix; and

13 (D) an identification of funds directed for
14 a specific activity.

15 TIMBER SALE REQUIREMENTS

16 SEC. 436. No timber sale in Alaska's Region 10 shall
17 be advertised if the indicated rate is deficit (defined as
18 the value of the timber is not sufficient to cover all logging
19 and stumpage costs and provide a normal profit and risk
20 allowance under the Forest Service's appraisal process)
21 when appraised using a residual value appraisal. The west-
22 ern red cedar timber from those sales which is surplus
23 to the needs of the domestic processors in Alaska, shall
24 be made available to domestic processors in the contiguous
25 48 United States at prevailing domestic prices. All addi-

1 tional western red cedar volume not sold to Alaska or con-
2 tiguous 48 United States domestic processors may be ex-
3 ported to foreign markets at the election of the timber sale
4 holder. All Alaska yellow cedar may be sold at prevailing
5 export prices at the election of the timber sale holder.

6 PROHIBITION ON USE OF FUNDS

7 SEC. 437. Notwithstanding any other provision of
8 law, none of the funds made available in this Act or any
9 other Act may be used to promulgate or implement any
10 regulation requiring the issuance of permits under title V
11 of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon
12 dioxide, nitrous oxide, water vapor, or methane emissions
13 resulting from biological processes associated with live-
14 stock production.

15 GREENHOUSE GAS REPORTING RESTRICTIONS

16 SEC. 438. Notwithstanding any other provision of
17 law, none of the funds made available in this or any other
18 Act may be used to implement any provision in a rule,
19 if that provision requires mandatory reporting of green-
20 house gas emissions from manure management systems.

21 FUNDING PROHIBITION

22 SEC. 439. None of the funds made available by this
23 or any other Act may be used to regulate the lead content
24 of ammunition, ammunition components, or fishing tackle

1 under the Toxic Substances Control Act (15 U.S.C. 2601
2 et seq.) or any other law.

3 POLICIES RELATING TO BIOMASS ENERGY

4 SEC. 440. To support the key role that forests in the
5 United States can play in addressing the energy needs of
6 the United States, the Secretary of Energy, the Secretary
7 of Agriculture, and the Administrator of the Environ-
8 mental Protection Agency shall, consistent with their mis-
9 sions, jointly—

10 (1) ensure that Federal policy relating to forest
11 bioenergy—

12 (A) is consistent across all Federal depart-
13 ments and agencies; and

14 (B) recognizes the full benefits of the use
15 of forest biomass for energy, conservation, and
16 responsible forest management; and

17 (2) establish clear and simple policies for the
18 use of forest biomass as an energy solution, includ-
19 ing policies that—

20 (A) reflect the carbon-neutrality of forest
21 bioenergy and recognize biomass as a renewable
22 energy source, provided the use of forest bio-
23 mass for energy production does not cause con-
24 version of forests to non-forest use;

1 (B) encourage private investment through-
2 out the forest biomass supply chain, including
3 in—

4 (i) working forests;

5 (ii) harvesting operations;

6 (iii) forest improvement operations;

7 (iv) forest bioenergy production;

8 (v) wood products manufacturing; or

9 (vi) paper manufacturing;

10 (C) encourage forest management to im-
11 prove forest health; and

12 (D) recognize State initiatives to produce
13 and use forest biomass.

14 SMALL REMOTE INCINERATORS

15 SEC. 441. None of the funds made available in this
16 Act may be used to implement or enforce the regulation
17 issued on March 21, 2011 at 40 CFR part 60 subparts
18 CCCC and DDDD with respect to units in the State of
19 Alaska that are defined as “small, remote incinerator”
20 units in those regulations and, until a subsequent regula-
21 tion is issued, the Administrator shall implement the law
22 and regulations in effect prior to such date.

23 CHACO CANYON

24 SEC. 442. None of the funds made available by this
25 Act may be used to accept a nomination for oil and gas

1 **DIVISION E—LEGISLATIVE BRANCH**
2 **APPROPRIATIONS ACT, 2020**

3 **TITLE I**

4 **LEGISLATIVE BRANCH**

5 **SENATE**

6 **EXPENSE ALLOWANCES**

7 For expense allowances of the Vice President,
8 \$18,760; the President Pro Tempore of the Senate,
9 \$37,520; Majority Leader of the Senate, \$39,920; Minor-
10 ity Leader of the Senate, \$39,920; Majority Whip of the
11 Senate, \$9,980; Minority Whip of the Senate, \$9,980;
12 President Pro Tempore Emeritus, \$15,000; Chairmen of
13 the Majority and Minority Conference Committees, \$4,690
14 for each Chairman; and Chairmen of the Majority and Mi-
15 nority Policy Committees, \$4,690 for each Chairman; in
16 all, \$189,840.

17 For representation allowances of the Majority and
18 Minority Leaders of the Senate, \$14,070 for each such
19 Leader; in all, \$28,140.

20 **SALARIES, OFFICERS AND EMPLOYEES**

21 For compensation of officers, employees, and others
22 as authorized by law, including agency contributions,
23 \$216,321,170, which shall be paid from this appropriation
24 as follows:

1 OFFICE OF THE VICE PRESIDENT

2 For the Office of the Vice President, \$2,533,000.

3 OFFICE OF THE PRESIDENT PRO TEMPORE

4 For the Office of the President Pro Tempore,
5 \$759,000.

6 OFFICE OF THE PRESIDENT PRO TEMPORE EMERITUS

7 For the Office of the President Pro Tempore Emer-
8 itus, \$326,000.

9 OFFICES OF THE MAJORITY AND MINORITY LEADERS

10 For Offices of the Majority and Minority Leaders,
11 \$5,506,000.

12 OFFICES OF THE MAJORITY AND MINORITY WHIPS

13 For Offices of the Majority and Minority Whips,
14 \$3,525,000.

15 COMMITTEE ON APPROPRIATIONS

16 For salaries of the Committee on Appropriations,
17 \$15,793,000.

18 CONFERENCE COMMITTEES

19 For the Conference of the Majority and the Con-
20 ference of the Minority, at rates of compensation to be
21 fixed by the Chairman of each such committee,
22 \$1,738,000 for each such committee; in all, \$3,476,000.

1 OFFICES OF THE SECRETARIES OF THE CONFERENCE OF
2 THE MAJORITY AND THE CONFERENCE OF THE MINORITY
3 For Offices of the Secretaries of the Conference of
4 the Majority and the Conference of the Minority,
5 \$862,000.

6 POLICY COMMITTEES

7 For salaries of the Majority Policy Committee and
8 the Minority Policy Committee, \$1,776,000 for each such
9 committee; in all, \$3,552,000.

10 OFFICE OF THE CHAPLAIN

11 For Office of the Chaplain, \$510,000.

12 OFFICE OF THE SECRETARY

13 For Office of the Secretary, \$26,818,000.

14 OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

15 For Office of the Sergeant at Arms and Doorkeeper,
16 \$85,867,000.

17 OFFICES OF THE SECRETARIES FOR THE MAJORITY AND
18 MINORITY

19 For Offices of the Secretary for the Majority and the
20 Secretary for the Minority, \$1,940,000.

21 AGENCY CONTRIBUTIONS AND RELATED EXPENSES

22 For agency contributions for employee benefits, as
23 authorized by law, and related expenses, \$64,854,170.

1 OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

2 For salaries and expenses of the Office of the Legisla-
3 tive Counsel of the Senate, \$6,397,000.

4 OFFICE OF SENATE LEGAL COUNSEL

5 For salaries and expenses of the Office of Senate
6 Legal Counsel, \$1,197,000.

7 EXPENSE ALLOWANCES OF THE SECRETARY OF THE
8 SENATE, SERGEANT AT ARMS AND DOORKEEPER OF
9 THE SENATE, AND SECRETARIES FOR THE MAJOR-
10 ITY AND MINORITY OF THE SENATE

11 For expense allowances of the Secretary of the Sen-
12 ate, \$7,110; Sergeant at Arms and Doorkeeper of the Sen-
13 ate, \$7,110; Secretary for the Majority of the Senate,
14 \$7,110; Secretary for the Minority of the Senate, \$7,110;
15 in all, \$28,440.

16 CONTINGENT EXPENSES OF THE SENATE

17 INQUIRIES AND INVESTIGATIONS

18 For expenses of inquiries and investigations ordered
19 by the Senate, or conducted under paragraph 1 of rule
20 XXVI of the Standing Rules of the Senate, section 112
21 of the Supplemental Appropriations and Rescission Act,
22 1980 (Public Law 96–304), and Senate Resolution 281,
23 96th Congress, agreed to March 11, 1980, \$133,265,000,
24 of which \$26,650,000 shall remain available until Sep-
25 tember 30, 2022.

1 U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS
2 CONTROL

3 For expenses of the United States Senate Caucus on
4 International Narcotics Control, \$508,000.

5 SECRETARY OF THE SENATE

6 For expenses of the Office of the Secretary of the
7 Senate, \$14,536,000 of which \$11,436,000 shall remain
8 available until September 30, 2024 and of which
9 \$3,100,000 shall remain available until expended.

10 SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

11 For expenses of the Office of the Sergeant at Arms
12 and Doorkeeper of the Senate, \$128,753,000, which shall
13 remain available until September 30, 2024.

14 MISCELLANEOUS ITEMS

15 For miscellaneous items, \$18,871,410 which shall re-
16 main available until September 30, 2022.

17 SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE
18 ACCOUNT

19 For Senators' Official Personnel and Office Expense
20 Account, \$449,000,000 of which \$20,128,950 shall remain
21 available until September 30, 2022 and of which
22 \$6,000,000 shall be allocated solely for the purpose of pro-
23 viding financial compensation to Senate interns.

1 OFFICIAL MAIL COSTS

2 For expenses necessary for official mail costs of the
3 Senate, \$300,000.

4 ADMINISTRATIVE PROVISION

5 REQUIRING AMOUNTS REMAINING IN SENATORS' OFFI-
6 CIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT
7 TO BE USED FOR DEFICIT REDUCTION OR TO RE-
8 DUCE THE FEDERAL DEBT

9 SEC. 101. Notwithstanding any other provision of
10 law, any amounts appropriated under this Act under the
11 heading "SENATE" under the heading "CONTINGENT
12 EXPENSES OF THE SENATE" under the heading "SEN-
13 ATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE AC-
14 COUNT" shall be available for obligation only during the
15 fiscal year or fiscal years for which such amounts are
16 made available. Any unexpended balances under such al-
17 lowances remaining after the end of the period of avail-
18 ability shall be returned to the Treasury in accordance
19 with the undesignated paragraph under the center heading
20 "GENERAL PROVISION" under chapter XI of the
21 Third Supplemental Appropriation Act, 1957 (2 U.S.C.
22 4107) and used for deficit reduction (or, if there is no
23 Federal budget deficit after all such payments have been
24 made, for reducing the Federal debt, in such manner as
25 the Secretary of the Treasury considers appropriate).

1 HOUSE OF REPRESENTATIVES

2 SALARIES AND EXPENSES

3 For salaries and expenses of the House of Represent-
4 atives, \$1,370,725,000, as follows:

5 HOUSE LEADERSHIP OFFICES

6 For salaries and expenses, as authorized by law,
7 \$28,884,000, including: Office of the Speaker,
8 \$8,295,000, including \$25,000 for official expenses of the
9 Speaker; Office of the Majority Floor Leader, \$2,947,000,
10 including \$10,000 for official expenses of the Majority
11 Leader; Office of the Minority Floor Leader, \$8,295,000,
12 including \$10,000 for official expenses of the Minority
13 Leader; Office of the Majority Whip, including the Chief
14 Deputy Majority Whip, \$2,448,000, including \$5,000 for
15 official expenses of the Majority Whip; Office of the Mi-
16 nority Whip, including the Chief Deputy Minority Whip,
17 \$2,219,000, including \$5,000 for official expenses of the
18 Minority Whip; Republican Conference, \$2,340,000;
19 Democratic Caucus, \$2,340,000: *Provided*, That such
20 amount for salaries and expenses shall remain available
21 from January 3, 2020 until January 2, 2021.

1 MEMBERS' REPRESENTATIONAL ALLOWANCES
2 INCLUDING MEMBERS' CLERK HIRE, OFFICIAL
3 EXPENSES OF MEMBERS, AND OFFICIAL MAIL

4 For Members' representational allowances, including
5 Members' clerk hire, official expenses, and official mail,
6 \$615,000,000.

7 ALLOWANCE FOR COMPENSATION OF INTERNS IN
8 MEMBER OFFICES

9 For the allowance established under section 120 of
10 the Legislative Branch Appropriations Act, 2019 (2
11 U.S.C. 5322a) for the compensation of interns who serve
12 in the offices of Members of the House of Representatives,
13 \$11,025,000, to remain available through December 31,
14 2020: *Provided*, That notwithstanding section 120(b) of
15 such Act, an office of a Member of the House of Rep-
16 resentatives may use not more than \$25,000 of the allow-
17 ance available under this heading during calendar year
18 2020.

19 ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE
20 LEADERSHIP OFFICES

21 For the allowance established under section 113 of
22 this Act for the compensation of interns who serve in
23 House leadership offices, \$365,000, to remain available
24 through December 31, 2020: *Provided*, That of the
25 amount provided under this heading, \$200,000 shall be

1 available for the compensation of interns who serve in
2 House leadership offices of the majority, to be allocated
3 among such offices by the Speaker of the House of Rep-
4 resentatives, and \$165,000 shall be available for the com-
5 pensation of interns who serve in House leadership offices
6 of the minority, to be allocated among such offices by the
7 Minority Floor Leader.

8 COMMITTEE EMPLOYEES

9 STANDING COMMITTEES, SPECIAL AND SELECT

10 For salaries and expenses of standing committees,
11 special and select, authorized by House resolutions,
12 \$135,359,000: *Provided*, That such amount shall remain
13 available for such salaries and expenses until December
14 31, 2020, except that \$2,850,000 of such amount shall
15 remain available until expended for committee room up-
16 grading.

17 COMMITTEE ON APPROPRIATIONS

18 For salaries and expenses of the Committee on Ap-
19 propriations, \$24,269,000, including studies and examina-
20 tions of executive agencies and temporary personal serv-
21 ices for such committee, to be expended in accordance with
22 section 202(b) of the Legislative Reorganization Act of
23 1946 and to be available for reimbursement to agencies
24 for services performed: *Provided*, That such amount shall

1 remain available for such salaries and expenses until De-
2 cember 31, 2020.

3 SALARIES, OFFICERS AND EMPLOYEES

4 For compensation and expenses of officers and em-
5 ployees, as authorized by law, \$231,903,000, including:
6 for salaries and expenses of the Office of the Clerk, includ-
7 ing the positions of the Chaplain and the Historian, and
8 including not more than \$25,000 for official representa-
9 tion and reception expenses, of which not more than
10 \$20,000 is for the Family Room and not more than
11 \$2,000 is for the Office of the Chaplain, \$30,766,000, of
12 which \$1,500,000 shall remain available until expended;
13 for salaries and expenses of the Office of the Sergeant at
14 Arms, including the position of Superintendent of Garages
15 and the Office of Emergency Management, and including
16 not more than \$3,000 for official representation and re-
17 ception expenses, \$20,225,000, of which \$10,267,000
18 shall remain available until expended; for salaries and ex-
19 penses of the Office of the Chief Administrative Officer
20 including not more than \$3,000 for official representation
21 and reception expenses, \$153,550,000, of which
22 \$11,639,000 shall remain available until expended; for sal-
23 aries and expenses of the Office of Diversity and Inclusion,
24 \$1,000,000; for salaries and expenses of the Office of the
25 Whistleblower Ombudsman, \$750,000; for salaries and ex-

1 penses of the Office of the Inspector General, \$5,019,000;
2 for salaries and expenses of the Office of General Counsel,
3 \$1,751,000; for salaries and expenses of the Office of the
4 Parliamentarian, including the Parliamentarian, \$2,000
5 for preparing the Digest of Rules, and not more than
6 \$1,000 for official representation and reception expenses,
7 \$2,088,000; for salaries and expenses of the Office of the
8 Law Revision Counsel of the House, \$3,419,000; for sala-
9 ries and expenses of the Office of the Legislative Counsel
10 of the House, \$11,937,000; for salaries and expenses of
11 the Office of Interparliamentary Affairs, \$814,000; for
12 other authorized employees, \$584,000.

13 ALLOWANCES AND EXPENSES

14 For allowances and expenses as authorized by House
15 resolution or law, \$323,920,000, including: supplies, mate-
16 rials, administrative costs and Federal tort claims,
17 \$1,526,000; official mail for committees, leadership of-
18 fices, and administrative offices of the House, \$190,000;
19 Government contributions for health, retirement, Social
20 Security, and other applicable employee benefits,
21 \$294,377,000, to remain available until March 31, 2021;
22 salaries and expenses for Business Continuity and Dis-
23 aster Recovery, \$17,668,000, of which \$5,000,000 shall
24 remain available until expended; transition activities for
25 new members and staff, \$4,489,000, to remain available

1 until expended; Wounded Warrior Program and the Con-
2 gressional Gold Star Family Fellowship Program,
3 \$3,000,000, to remain available until expended; Office of
4 Congressional Ethics, \$1,670,000; and miscellaneous
5 items including purchase, exchange, maintenance, repair
6 and operation of House motor vehicles, interparliamentary
7 receptions, and gratuities to heirs of deceased employees
8 of the House, \$1,000,000.

9 ADMINISTRATIVE PROVISIONS
10 REQUIRING AMOUNTS REMAINING IN MEMBERS' REP-
11 RESENTATIONAL ALLOWANCES TO BE USED FOR
12 DEFICIT REDUCTION OR TO REDUCE THE FEDERAL
13 DEBT

14 SEC. 110. (a) Notwithstanding any other provision
15 of law, any amounts appropriated under this Act for
16 “HOUSE OF REPRESENTATIVES—SALARIES AND
17 EXPENSES—MEMBERS' REPRESENTATIONAL ALLOW-
18 ANCES” shall be available only for fiscal year 2020. Any
19 amount remaining after all payments are made under such
20 allowances for fiscal year 2020 shall be deposited in the
21 Treasury and used for deficit reduction (or, if there is no
22 Federal budget deficit after all such payments have been
23 made, for reducing the Federal debt, in such manner as
24 the Secretary of the Treasury considers appropriate).

1 (b) The Committee on House Administration of the
2 House of Representatives shall have authority to prescribe
3 regulations to carry out this section.

4 (c) As used in this section, the term “Member of the
5 House of Representatives” means a Representative in, or
6 a Delegate or Resident Commissioner to, the Congress.

7 LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

8 SEC. 111. None of the funds made available in this
9 Act may be used by the Chief Administrative Officer of
10 the House of Representatives to make any payments from
11 any Members’ Representational Allowance for the leasing
12 of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds \$1,000 for the vehicle in any
13 month.
14

15 ALLOWANCE FOR COMPENSATION OF INTERNS IN

16 MEMBER OFFICES

17 SEC. 112. (a) Section 120(f) of the Legislative
18 Branch Appropriations Act, 2019 (2 U.S.C. 5322a(f)) is
19 amended by striking the period at the end and inserting
20 the following: “, and such sums as may be necessary for
21 fiscal year 2020 and each succeeding fiscal year.”.

22 (b) Section 101(c)(2) of the Legislative Branch Ap-
23 propriations Act, 1993 (2 U.S.C. 5507(c)(2)) is amended
24 by striking “and ‘Office of the Attending Physician’.” and

1 inserting “‘Office of the Attending Physician’, and ‘Allow-
2 ance for Compensation of Interns in Member Offices’.”.

3 (c) The amendments made by this section shall take
4 effect as if included in the enactment of section 120 of
5 the Legislative Branch Appropriations Act, 2019 (2
6 U.S.C. 5322a).

7 ALLOWANCE FOR COMPENSATION OF INTERNS IN HOUSE
8 LEADERSHIP OFFICES

9 SEC. 113. (a) There is established for the House of
10 Representatives an allowance which shall be available for
11 the compensation of interns who serve in House leadership
12 offices.

13 (b) Section 104(b) of the House of Representatives
14 Administrative Reform Technical Corrections Act (2
15 U.S.C. 5321(b)) shall apply with respect to an intern who
16 is compensated under the allowance under this section in
17 the same manner as such section applies with respect to
18 an intern who is compensated under the Members’ Rep-
19 resentational Allowance.

20 (c) In this section—

21 (1) the term “House leadership office” means,
22 with respect to a fiscal year, any office for which the
23 appropriation for salaries and expenses of the office
24 for the fiscal year is provided under the heading
25 “House Leadership Offices” in the Act making ap-

1 appropriations for the Legislative Branch for the fiscal
2 year; and

3 (2) term “intern”, with respect to a House
4 leadership office, has the meaning given such term
5 with respect to a Member of the House of Rep-
6 resentatives in section 104(c)(2) of the House of
7 Representatives Administrative Reform Technical
8 Corrections Act (2 U.S.C. 5321(c)(2)).

9 (d) There are authorized to be appropriated to carry
10 out this section such sums as may be necessary for fiscal
11 year 2020 and each succeeding fiscal year.

12 (e) Section 101(c)(2) of the Legislative Branch Ap-
13 propriations Act, 1993 (2 U.S.C. 5507(c)(2)), as amended
14 by section 112(b), is further amended by striking “, and
15 ‘Allowance for Compensation of Interns in Member Of-
16 fices’.” and inserting “, ‘Allowance for Compensation of
17 Interns in Member Offices’, and ‘Allowance for Compensa-
18 tion of Interns in House Leadership Offices’.”.

19 (f) This section and the amendments made by this
20 section shall apply with respect to fiscal year 2020 and
21 each succeeding fiscal year.

22 CYBERSECURITY ASSISTANCE FOR HOUSE OF
23 REPRESENTATIVES

24 SEC. 114. The head of any Federal entity that pro-
25 vides assistance to the House of Representatives in the

1 USE OF AVAILABLE BALANCES OF EXPIRED
2 APPROPRIATIONS
3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 116. (a) Subject to section 119 of the Legisla-
5 tive Branch Appropriations Act, 2018 (2 U.S.C. 5511),
6 available balances of expired appropriations for the House
7 of Representatives shall be available to the House of Rep-
8 resentatives—

9 (1) for the payment of a death gratuity which
10 is specifically appropriated by law and which is made
11 in connection with the death of an employee of the
12 House of Representatives, without regard to the fis-
13 cal year in which the payment is made; and

14 (2) for deposit into the account established
15 under section 109 of the Legislative Branch Appro-
16 priations Act, 1998 (2 U.S.C. 5508) for making
17 payments of the House of Representatives to the
18 Employees' Compensation Fund under section 8147
19 of title 5, United States Code, and for reimbursing
20 the Secretary of Labor for any amounts paid with
21 respect to unemployment compensation payments for
22 former employees of the House.

23 (b) This section shall apply with respect to funds ap-
24 propriated or otherwise made available in fiscal year 2020
25 and each succeeding fiscal year.

1 REDUCTION IN AMOUNT OF TUITION CHARGED FOR CHIL-
2 DREN OF EMPLOYEES OF HOUSE CHILD CARE CEN-
3 TER

4 SEC. 117. (a) Section 312(d) of the Legislative
5 Branch Appropriations Act, 1992 (2 U.S.C. 2062(d)) is
6 amended by adding at the end the following new para-
7 graph:

8 “(4) In the case of a child of an employee of
9 the center who is furnished care at the center, the
10 Chief Administrative Officer shall reduce the amount
11 of tuition otherwise charged with respect to such
12 child during a month by the greater of—

13 “(A) 50 percent; or

14 “(B) such percentage as may be necessary
15 to ensure that the total amount of tuition paid
16 by the employee with respect to all children of
17 the employee who are furnished care at the cen-
18 ter during the month does not exceed \$1,000.”.

19 (b) Section 312(d)(2) of such Act (2 U.S.C.
20 2062(d)(2)) is amended by inserting after “similar bene-
21 fits and programs” the following: “(including the subsidies
22 provided on behalf of employees of the center as a result
23 of reductions in the amount of tuition otherwise charged
24 with respect to children of such employees under para-
25 graph (4))”.

1 (c) The amendments made by this section shall apply
2 with respect to fiscal year 2020 and each succeeding fiscal
3 year.

4 JOINT ITEMS

5 For Joint Committees, as follows:

6 JOINT ECONOMIC COMMITTEE

7 For salaries and expenses of the Joint Economic
8 Committee, \$4,203,000, to be disbursed by the Secretary
9 of the Senate.

10 JOINT CONGRESSIONAL COMMITTEE ON INAUGURAL 11 CEREMONIES OF 2021

12 For salaries and expenses associated with conducting
13 the inaugural ceremonies of the President and Vice Presi-
14 dent of the United States, January 20, 2021, in accord-
15 ance with such program as may be adopted by the joint
16 congressional committee authorized to conduct the inau-
17 gural ceremonies of 2021, \$1,500,000 to be disbursed by
18 the Secretary of the Senate and to remain available until
19 September 30, 2021: *Provided*, That funds made available
20 under this heading shall be available for payment, on a
21 direct or reimbursable basis, whether incurred on, before,
22 or after, October 1, 2020: *Provided further*, That the com-
23 pensation of any employee of the Committee on Rules and
24 Administration of the Senate who has been designated to
25 perform service with respect to the inaugural ceremonies

1 of 2021 shall continue to be paid by the Committee on
2 Rules and Administration, but the account from which
3 such staff member is paid may be reimbursed for the serv-
4 ices of the staff member out of funds made available under
5 this heading: *Provided further*, That there are authorized
6 to be paid from the appropriations account for “Expenses
7 of Inquiries and Investigations” of the Senate such sums
8 as may be necessary, without fiscal year limitation, for
9 agency contributions related to the compensation of em-
10 ployees of the joint congressional committee.

11 JOINT COMMITTEE ON TAXATION

12 For salaries and expenses of the Joint Committee on
13 Taxation, \$11,563,000, to be disbursed by the Chief Ad-
14 ministrative Officer of the House of Representatives.

15 For other joint items, as follows:

16 OFFICE OF THE ATTENDING PHYSICIAN

17 For medical supplies, equipment, and contingent ex-
18 penses of the emergency rooms, and for the Attending
19 Physician and his assistants, including:

20 (1) an allowance of \$2,175 per month to the
21 Attending Physician;

22 (2) an allowance of \$1,300 per month to the
23 Senior Medical Officer;

1 (3) an allowance of \$725 per month each to
2 three medical officers while on duty in the Office of
3 the Attending Physician;

4 (4) an allowance of \$725 per month to 2 assist-
5 ants and \$580 per month each not to exceed 11 as-
6 sistants on the basis heretofore provided for such as-
7 sistants; and

8 (5) \$2,800,000 for reimbursement to the De-
9 partment of the Navy for expenses incurred for staff
10 and equipment assigned to the Office of the Attend-
11 ing Physician, which shall be advanced and credited
12 to the applicable appropriation or appropriations
13 from which such salaries, allowances, and other ex-
14 penses are payable and shall be available for all the
15 purposes thereof, \$3,868,000, to be disbursed by the
16 Chief Administrative Officer of the House of Rep-
17 resentatives.

18 OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

19 SALARIES AND EXPENSES

20 For salaries and expenses of the Office of Congres-
21 sional Accessibility Services, \$1,509,000, to be disbursed
22 by the Secretary of the Senate.

1 sion of law, the cost of basic training for the Capitol Police
2 at the Federal Law Enforcement Training Center for fis-
3 cal year 2020 shall be paid by the Secretary of Homeland
4 Security from funds available to the Department of Home-
5 land Security.

6 ADMINISTRATIVE PROVISION

7 SEC. 120. Section 908(c) of the Emergency Supple-
8 mental Act, 2002 (2 U.S.C. 1926(c)), is amended by strik-
9 ing “\$40,000” and inserting “\$60,000”.

10 OFFICE OF CONGRESSIONAL WORKPLACE

11 RIGHTS

12 SALARIES AND EXPENSES

13 For salaries and expenses necessary for the operation
14 of the Office of Congressional Workplace Rights,
15 \$6,333,000, of which \$1,000,000 shall remain available
16 until September 30, 2021, and of which not more than
17 \$1,000 may be expended on the certification of the Execu-
18 tive Director in connection with official representation and
19 reception expenses.

20 CONGRESSIONAL BUDGET OFFICE

21 SALARIES AND EXPENSES

22 For salaries and expenses necessary for operation of
23 the Congressional Budget Office, including not more than
24 \$6,000 to be expended on the certification of the Director

1 of the Congressional Budget Office in connection with offi-
2 cial representation and reception expenses, \$54,941,000:
3 *Provided*, That the Director shall use not less than
4 \$500,000 of the amount made available under this head-
5 ing for (1) improving technical systems, processes, and
6 models for the purpose of improving the transparency of
7 estimates of budgetary effects to Members of Congress,
8 employees of Members of Congress, and the public, and
9 (2) to increase the availability of models, economic as-
10 sumptions, and data for Members of Congress, employees
11 of Members of Congress, and the public.

12 ARCHITECT OF THE CAPITOL

13 CAPITAL CONSTRUCTION AND OPERATIONS

14 For salaries for the Architect of the Capitol, and
15 other personal services, at rates of pay provided by law;
16 for all necessary expenses for surveys and studies, con-
17 struction, operation, and general and administrative sup-
18 port in connection with facilities and activities under the
19 care of the Architect of the Capitol including the Botanic
20 Garden; electrical substations of the Capitol, Senate and
21 House office buildings, and other facilities under the juris-
22 diction of the Architect of the Capitol; including fur-
23 nishings and office equipment; including not more than
24 \$5,000 for official reception and representation expenses,
25 to be expended as the Architect of the Capitol may ap-

1 prove; for purchase or exchange, maintenance, and oper-
2 ation of a passenger motor vehicle, \$120,000,000.

3 CAPITOL BUILDING

4 For all necessary expenses for the maintenance, care
5 and operation of the Capitol, \$68,878,000, of which
6 \$40,899,000 shall remain available until September 30,
7 2024.

8 CAPITOL GROUNDS

9 For all necessary expenses for care and improvement
10 of grounds surrounding the Capitol, the Senate and House
11 office buildings, and the Capitol Power Plant,
12 \$15,024,000, of which \$3,000,000 shall remain available
13 until September 30, 2024.

14 SENATE OFFICE BUILDINGS

15 For all necessary expenses for the maintenance, care
16 and operation of Senate office buildings; and furniture and
17 furnishings to be expended under the control and super-
18 vision of the Architect of the Capitol, \$88,424,000, of
19 which \$23,100,000 shall remain available until September
20 30, 2024.

21 HOUSE OFFICE BUILDINGS

22 (INCLUDING TRANSFER OF FUNDS)

23 For all necessary expenses for the maintenance, care
24 and operation of the House office buildings,
25 \$153,273,000, of which \$30,300,000 shall remain avail-

1 able until September 30, 2024, and of which \$62,000,000
2 shall remain available until expended for the restoration
3 and renovation of the Cannon House Office Building: *Pro-*
4 *vided*, That of the amount made available under this head-
5 ing, \$8,000,000 shall be derived by transfer from the
6 House Office Building Fund established under section
7 176(d) of the Continuing Appropriations Act, 2017, as
8 added by section 101(3) of the Further Continuing Appro-
9 priation Act, 2017 (Public Law 114–254; 2 U.S.C. 2001
10 note).

11 CAPITOL POWER PLANT

12 For all necessary expenses for the maintenance, care
13 and operation of the Capitol Power Plant; lighting, heat-
14 ing, power (including the purchase of electrical energy)
15 and water and sewer services for the Capitol, Senate and
16 House office buildings, Library of Congress buildings, and
17 the grounds about the same, Botanic Garden, Senate ga-
18 rage, and air conditioning refrigeration not supplied from
19 plants in any of such buildings; heating the Government
20 Publishing Office and Washington City Post Office, and
21 heating and chilled water for air conditioning for the Su-
22 preme Court Building, the Union Station complex, the
23 Thurgood Marshall Federal Judiciary Building and the
24 Folger Shakespeare Library, expenses for which shall be
25 advanced or reimbursed upon request of the Architect of

1 the Capitol and amounts so received shall be deposited
2 into the Treasury to the credit of this appropriation,
3 \$98,957,000, of which \$15,300,000 shall remain available
4 until September 30, 2024: *Provided*, That not more than
5 \$10,000,000 of the funds credited or to be reimbursed to
6 this appropriation as herein provided shall be available for
7 obligation during fiscal year 2020.

8 LIBRARY BUILDINGS AND GROUNDS

9 For all necessary expenses for the mechanical and
10 structural maintenance, care and operation of the Library
11 buildings and grounds, \$55,746,000, of which
12 \$25,200,000 shall remain available until September 30,
13 2024.

14 CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

15 For all necessary expenses for the maintenance, care
16 and operation of buildings, grounds and security enhance-
17 ments of the United States Capitol Police, wherever lo-
18 cated, the Alternate Computing Facility, and Architect of
19 the Capitol security operations, \$55,216,000, of which
20 \$28,000,000 shall remain available until September 30,
21 2024.

22 BOTANIC GARDEN

23 For all necessary expenses for the maintenance, care
24 and operation of the Botanic Garden and the nurseries,
25 buildings, grounds, and collections; and purchase and ex-

1 change, maintenance, repair, and operation of a passenger
2 motor vehicle; all under the direction of the Joint Com-
3 mittee on the Library, \$16,094,000, of which \$4,000,000
4 shall remain available until September 30, 2024: *Provided*,
5 That, of the amount made available under this heading,
6 the Architect of the Capitol may obligate and expend such
7 sums as may be necessary for the maintenance, care and
8 operation of the National Garden established under sec-
9 tion 307E of the Legislative Branch Appropriations Act,
10 1989 (2 U.S.C. 2146), upon vouchers approved by the Ar-
11 chitect of the Capitol or a duly authorized designee.

12 CAPITOL VISITOR CENTER

13 For all necessary expenses for the operation of the
14 Capitol Visitor Center, \$24,321,000.

15 ADMINISTRATIVE PROVISION

16 NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR
17 OVER BUDGET

18 SEC. 130. None of the funds made available in this
19 Act for the Architect of the Capitol may be used to make
20 incentive or award payments to contractors for work on
21 contracts or programs for which the contractor is behind
22 schedule or over budget, unless the Architect of the Cap-
23 itol, or agency-employed designee, determines that any
24 such deviations are due to unforeseeable events, govern-

1 ment-driven scope changes, or are not significant within
2 the overall scope of the project and/or program.

3 LIBRARY OF CONGRESS

4 SALARIES AND EXPENSES

5 For all necessary expenses of the Library of Congress
6 not otherwise provided for, including development and
7 maintenance of the Library's catalogs; custody and custo-
8 dial care of the Library buildings; information technology
9 services provided centrally; special clothing; cleaning,
10 laundering and repair of uniforms; preservation of motion
11 pictures in the custody of the Library; operation and
12 maintenance of the American Folklife Center in the Li-
13 brary; preparation and distribution of catalog records and
14 other publications of the Library; hire or purchase of one
15 passenger motor vehicle; and expenses of the Library of
16 Congress Trust Fund Board not properly chargeable to
17 the income of any trust fund held by the Board,
18 \$504,164,000, of which not more than \$6,000,000 shall
19 be derived from collections credited to this appropriation
20 during fiscal year 2020, and shall remain available until
21 expended, under the Act of June 28, 1902 (chapter 1301;
22 32 Stat. 480; 2 U.S.C. 150): *Provided*, That the Library
23 of Congress may not obligate or expend any funds derived
24 from collections under the Act of June 28, 1902, in excess
25 of the amount authorized for obligation or expenditure in

1 appropriations Acts: *Provided further*, That the total
2 amount available for obligation shall be reduced by the
3 amount by which collections are less than \$6,000,000:
4 *Provided further*, That of the total amount appropriated,
5 not more than \$18,000 may be expended, on the certifi-
6 cation of the Librarian of Congress, in connection with
7 official representation and reception expenses, including
8 for the Overseas Field Offices: *Provided further*, That of
9 the total amount appropriated, \$9,110,000 shall remain
10 available until expended for the digital collections and edu-
11 cational curricula program: *Provided further*, That of the
12 total amount appropriated, \$1,350,000 shall remain avail-
13 able until expended for upgrade of the Legislative Branch
14 Financial Management System: *Provided further*, That of
15 the total amount appropriated, \$250,000 shall remain
16 available until expended for the Surplus Books Program
17 to promote the program and facilitate a greater number
18 of donations to eligible entities across the United States:
19 *Provided further*, That of the total amount appropriated,
20 \$3,587,000 shall remain available until expended for the
21 Veterans History Project to continue digitization efforts
22 of already collected materials, reach a greater number of
23 veterans to record their stories, and promote public access
24 to the Project: *Provided further*, That of the total amount
25 appropriated, \$10,000,000 shall remain available until ex-

1 \$17,100,000 is for modernization initiatives, of which
2 \$10,000,000 shall remain available until September 30,
3 2021: *Provided further*, That not more than \$100,000 of
4 the amount appropriated is available for the maintenance
5 of an “International Copyright Institute” in the Copyright
6 Office of the Library of Congress for the purpose of train-
7 ing nationals of developing countries in intellectual prop-
8 erty laws and policies: *Provided further*, That not more
9 than \$6,500 may be expended, on the certification of the
10 Librarian of Congress, in connection with official rep-
11 resentation and reception expenses for activities of the
12 International Copyright Institute and for copyright dele-
13 gations, visitors, and seminars: *Provided further*, That,
14 notwithstanding any provision of chapter 8 of title 17,
15 United States Code, any amounts made available under
16 this heading which are attributable to royalty fees and
17 payments received by the Copyright Office pursuant to
18 sections 111, 119, and chapter 10 of such title may be
19 used for the costs incurred in the administration of the
20 Copyright Royalty Judges program, with the exception of
21 the costs of salaries and benefits for the Copyright Royalty
22 Judges and staff under section 802(e).

1 CONGRESSIONAL RESEARCH SERVICE
2 SALARIES AND EXPENSES

3 For all necessary expenses to carry out the provisions
4 of section 203 of the Legislative Reorganization Act of
5 1946 (2 U.S.C. 166) and to revise and extend the Anno-
6 tated Constitution of the United States of America,
7 \$120,495,000: *Provided*, That no part of such amount
8 may be used to pay any salary or expense in connection
9 with any publication, or preparation of material therefor
10 (except the Digest of Public General Bills), to be issued
11 by the Library of Congress unless such publication has
12 obtained prior approval of either the Committee on House
13 Administration of the House of Representatives or the
14 Committee on Rules and Administration of the Senate:
15 *Provided further*, That this prohibition does not apply to
16 publication of non-confidential Congressional Research
17 Service (CRS) products: *Provided further*, That a non-con-
18 fidential CRS product includes any written product con-
19 taining research or analysis that is currently available for
20 general congressional access on the CRS Congressional
21 Intranet, or that would be made available on the CRS
22 Congressional Intranet in the normal course of business
23 and does not include material prepared in response to
24 Congressional requests for confidential analysis or re-
25 search.

1 NATIONAL LIBRARY SERVICE FOR THE BLIND AND
2 PRINT DISABLED
3 SALARIES AND EXPENSES

4 For all necessary expenses to carry out the Act of
5 March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C.
6 135a), \$58,563,000: *Provided*, That of the total amount
7 appropriated, \$650,000 shall be available to contract to
8 provide newspapers to blind and physically handicapped
9 residents at no cost to the individual.

10 ADMINISTRATIVE PROVISION

11 REIMBURSABLE AND REVOLVING FUND ACTIVITIES

12 SEC. 140. (a) IN GENERAL.—For fiscal year 2020,
13 the obligational authority of the Library of Congress for
14 the activities described in subsection (b) may not exceed
15 \$231,975,000.

16 (b) ACTIVITIES.—The activities referred to in sub-
17 section (a) are reimbursable and revolving fund activities
18 that are funded from sources other than appropriations
19 to the Library in appropriations Acts for the legislative
20 branch.

21 GOVERNMENT PUBLISHING OFFICE

22 CONGRESSIONAL PUBLISHING

23 (INCLUDING TRANSFER OF FUNDS)

24 For authorized publishing of congressional informa-
25 tion and the distribution of congressional information in

1 any format; publishing of Government publications au-
2 thorized by law to be distributed to Members of Congress;
3 and publishing, and distribution of Government publica-
4 tions authorized by law to be distributed without charge
5 to the recipient, \$79,000,000: *Provided*, That this appro-
6 priation shall not be available for paper copies of the per-
7 manent edition of the Congressional Record for individual
8 Representatives, Resident Commissioners or Delegates au-
9 thorized under section 906 of title 44, United States Code:
10 *Provided further*, That this appropriation shall be available
11 for the payment of obligations incurred under the appro-
12 priations for similar purposes for preceding fiscal years:
13 *Provided further*, That notwithstanding the 2-year limita-
14 tion under section 718 of title 44, United States Code,
15 none of the funds appropriated or made available under
16 this Act or any other Act for printing and binding and
17 related services provided to Congress under chapter 7 of
18 title 44, United States Code, may be expended to print
19 a document, report, or publication after the 27-month pe-
20 riod beginning on the date that such document, report,
21 or publication is authorized by Congress to be printed, un-
22 less Congress reauthorizes such printing in accordance
23 with section 718 of title 44, United States Code: *Provided*
24 *further*, That unobligated or unexpended balances of ex-
25 pired discretionary funds made available under this head-

1 ing in this Act for this fiscal year may be transferred to,
2 and merged with, funds under the heading “Government
3 Publishing Office Business Operations Revolving Fund”
4 no later than the end of the fifth fiscal year after the last
5 fiscal year for which such funds are available for the pur-
6 poses for which appropriated, to be available for carrying
7 out the purposes of this heading, subject to the approval
8 of the Committee on Appropriations of the House of Rep-
9 resentatives and the Senate: *Provided further*, That not-
10 withstanding sections 901, 902, and 906 of title 44,
11 United States Code, this appropriation may be used to
12 prepare indexes to the Congressional Record on only a
13 monthly and session basis.

14 PUBLIC INFORMATION PROGRAMS OF THE
15 SUPERINTENDENT OF DOCUMENTS
16 SALARIES AND EXPENSES
17 (INCLUDING TRANSFER OF FUNDS)

18 For expenses of the public information programs of
19 the Office of Superintendent of Documents necessary to
20 provide for the cataloging and indexing of Government
21 publications in any format, and their distribution to the
22 public, Members of Congress, other Government agencies,
23 and designated depository and international exchange li-
24 braries as authorized by law, \$31,296,000: *Provided*, That
25 amounts of not more than \$2,000,000 from current year

1 appropriations are authorized for producing and dissemi-
2 nating Congressional serial sets and other related publica-
3 tions for fiscal years 2018 and 2019 to depository and
4 other designated libraries: *Provided further*, That unobli-
5 gated or unexpended balances of expired discretionary
6 funds made available under this heading in this Act for
7 this fiscal year may be transferred to, and merged with,
8 funds under the heading “Government Publishing Office
9 Business Operations Revolving Fund” no later than the
10 end of the fifth fiscal year after the last fiscal year for
11 which such funds are available for the purposes for which
12 appropriated, to be available for carrying out the purposes
13 of this heading, subject to the approval of the Committees
14 on Appropriations of the House of Representatives and the
15 Senate.

16 GOVERNMENT PUBLISHING OFFICE BUSINESS
17 OPERATIONS REVOLVING FUND

18 For payment to the Government Publishing Office
19 Business Operations Revolving Fund, \$6,704,000, to re-
20 main available until expended, for information technology
21 development and facilities repair: *Provided*, That the Gov-
22 ernment Publishing Office is hereby authorized to make
23 such expenditures, within the limits of funds available and
24 in accordance with law, and to make such contracts and
25 commitments without regard to fiscal year limitations as

1 provided by section 9104 of title 31, United States Code,
2 as may be necessary in carrying out the programs and
3 purposes set forth in the budget for the current fiscal year
4 for the Government Publishing Office Business Operations
5 Revolving Fund: *Provided further*, That not more than
6 \$7,500 may be expended on the certification of the Direc-
7 tor of the Government Publishing Office in connection
8 with official representation and reception expenses: *Pro-*
9 *vided further*, That the Business Operations Revolving
10 Fund shall be available for the hire or purchase of not
11 more than 12 passenger motor vehicles: *Provided further*,
12 That expenditures in connection with travel expenses of
13 the advisory councils to the Director of the Government
14 Publishing Office shall be deemed necessary to carry out
15 the provisions of title 44, United States Code: *Provided*
16 *further*, That the Business Operations Revolving Fund
17 shall be available for temporary or intermittent services
18 under section 3109(b) of title 5, United States Code, but
19 at rates for individuals not more than the daily equivalent
20 of the annual rate of basic pay for level V of the Executive
21 Schedule under section 5316 of such title: *Provided fur-*
22 *ther*, That activities financed through the Business Oper-
23 ations Revolving Fund may provide information in any
24 format: *Provided further*, That the Business Operations
25 Revolving Fund and the funds provided under the heading

1 “Public Information Programs of the Superintendent of
2 Documents” may not be used for contracted security serv-
3 ices at Government Publishing Office’s passport facility in
4 the District of Columbia.

5 GOVERNMENT ACCOUNTABILITY OFFICE

6 SALARIES AND EXPENSES

7 For necessary expenses of the Government Account-
8 ability Office, including not more than \$12,500 to be ex-
9 pended on the certification of the Comptroller General of
10 the United States in connection with official representa-
11 tion and reception expenses; temporary or intermittent
12 services under section 3109(b) of title 5, United States
13 Code, but at rates for individuals not more than the daily
14 equivalent of the annual rate of basic pay for level IV of
15 the Executive Schedule under section 5315 of such title;
16 hire of one passenger motor vehicle; advance payments in
17 foreign countries in accordance with section 3324 of title
18 31, United States Code; benefits comparable to those pay-
19 able under sections 901(5), (6), and (8) of the Foreign
20 Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8));
21 and under regulations prescribed by the Comptroller Gen-
22 eral of the United States, rental of living quarters in for-
23 eign countries, \$630,000,000: *Provided*, That, in addition,
24 \$24,800,000 of payments received under sections 782,
25 791, 3521, and 9105 of title 31, United States Code, shall

1 be available without fiscal year limitation: *Provided fur-*
2 *ther*, That this appropriation and appropriations for ad-
3 ministrative expenses of any other department or agency
4 which is a member of the National Intergovernmental
5 Audit Forum or a Regional Intergovernmental Audit
6 Forum shall be available to finance an appropriate share
7 of either Forum's costs as determined by the respective
8 Forum, including necessary travel expenses of non-Federal
9 participants: *Provided further*, That payments hereunder
10 to the Forum may be credited as reimbursements to any
11 appropriation from which costs involved are initially fi-
12 nanced.

13 OPEN WORLD LEADERSHIP CENTER TRUST
14 FUND

15 For a payment to the Open World Leadership Center
16 Trust Fund for financing activities of the Open World
17 Leadership Center under section 313 of the Legislative
18 Branch Appropriations Act, 2001 (2 U.S.C. 1151),
19 \$5,900,000: *Provided*, That funds made available to sup-
20 port Russian participants shall only be used for those en-
21 gaging in free market development, humanitarian activi-
22 ties, and civic engagement, and shall not be used for offi-
23 cials of the central government of Russia.

1 costs as determined by the LBFMC, except that the total
2 LBFMC costs to be shared among all participating legisla-
3 tive branch entities (in such allocations among the entities
4 as the entities may determine) may not exceed \$2,000.

5 LIMITATION ON TRANSFERS

6 SEC. 206. None of the funds made available in this
7 Act may be transferred to any department, agency, or in-
8 strumentality of the United States Government, except
9 pursuant to a transfer made by, or transfer authority pro-
10 vided in, this Act or any other appropriation Act.

11 GUIDED TOURS OF THE CAPITOL

12 SEC. 207. (a) Except as provided in subsection (b),
13 none of the funds made available to the Architect of the
14 Capitol in this Act may be used to eliminate or restrict
15 guided tours of the United States Capitol which are led
16 by employees and interns of offices of Members of Con-
17 gress and other offices of the House of Representatives
18 and Senate, unless through regulations as authorized by
19 section 402(b)(8) of the Capitol Visitor Center Act of
20 2008 (2 U.S.C. 2242(b)(8)).

21 (b) At the direction of the Capitol Police Board, or
22 at the direction of the Architect of the Capitol with the
23 approval of the Capitol Police Board, guided tours of the
24 United States Capitol which are led by employees and in-
25 terns described in subsection (a) may be suspended tempo-

1 rarely or otherwise subject to restriction for security or re-
2 lated reasons to the same extent as guided tours of the
3 United States Capitol which are led by the Architect of
4 the Capitol.

5 LIMITATION ON TELECOMMUNICATIONS EQUIPMENT

6 PROCUREMENT

7 SEC. 208. (a) None of the funds appropriated or oth-
8 erwise made available under this Act may be used to ac-
9 quire telecommunications equipment produced by Huawei
10 Technologies Company, ZTE Corporation or a high-im-
11 pact or moderate-impact information system, as defined
12 for security categorization in the National Institute of
13 Standards and Technology's (NIST) Federal Information
14 Processing Standard Publication 199, "Standards for Se-
15 curity Categorization of Federal Information and Informa-
16 tion Systems" unless the agency, office, or other entity
17 acquiring the equipment or system has—

18 (1) reviewed the supply chain risk for the infor-
19 mation systems against criteria developed by NIST
20 to inform acquisition decisions for high-impact and
21 moderate-impact information systems within the
22 Federal Government;

23 (2) reviewed the supply chain risk from the pre-
24 sumptive awardee against available and relevant

1 threat information provided by the Federal Bureau
2 of Investigation and other appropriate agencies; and
3 (3) in consultation with the Federal Bureau of
4 Investigation or other appropriate Federal entity,
5 conducted an assessment of any risk of cyber-espio-
6 nage or sabotage associated with the acquisition of
7 such system, including any risk associated with such
8 system being produced, manufactured, or assembled
9 by one or more entities identified by the United
10 States Government as posing a cyber threat, includ-
11 ing but not limited to, those that may be owned, di-
12 rected, or subsidized by the People's Republic of
13 China, the Islamic Republic of Iran, the Democratic
14 People's Republic of Korea, or the Russian Federa-
15 tion.

16 (b) None of the funds appropriated or otherwise
17 made available under this Act may be used to acquire a
18 high-impact or moderate impact information system re-
19 viewed and assessed under subsection (a) unless the head
20 of the assessing entity described in subsection (a) has—

21 (1) developed, in consultation with NIST and
22 supply chain risk management experts, a mitigation
23 strategy for any identified risks;

24 (2) determined, in consultation with NIST and
25 the Federal Bureau of Investigation, that the acqui-

1 sition of such system is in the vital national security
2 interest of the United States; and

3 (3) reported that determination to the Commit-
4 tees on Appropriations of the House of Representa-
5 tives and the Senate in a manner that identifies the
6 system intended for acquisition and a detailed de-
7 scription of the mitigation strategies identified in
8 paragraph (1), provided that such report may in-
9 clude a classified annex as necessary.

10 PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

11 SEC. 209. (a) None of the funds made available in
12 this Act may be used to maintain or establish a computer
13 network unless such network blocks the viewing,
14 downloading, and exchanging of pornography.

15 (b) Nothing in subsection (a) shall limit the use of
16 funds necessary for any Federal, State, tribal, or local law
17 enforcement agency or any other entity carrying out crimi-
18 nal investigations, prosecution, or adjudication activities
19 or other official government activities.

20 PLASTIC WASTE REDUCTION

21 SEC. 210. All agencies and offices funded by this divi-
22 sion that contract with a food service provider or providers
23 shall confer and coordinate with such food service provider
24 or providers, in consultation with disability advocacy
25 groups, to eliminate or reduce plastic waste, including

1 waste from plastic straws, explore the use of biodegradable
2 items, and increase recycling and composting opportuni-
3 ties.

4 ADJUSTMENT TO NORMAL COST PERCENTAGE RATES

5 SEC. 211. Section 8423(a)(1)(B)(i) of title 5, United
6 States Code, is amended by inserting “(including a sepa-
7 rate normal-cost percentage for Congressional employees
8 that are members of the Capitol Police covered under sub-
9 section (d) of section 8412 and subsection (c) of section
10 8425)” after “Congressional employees”.

11 CONGRESSIONAL STAFF COMPENSATION

12 SEC. 212. (a) SENATE.—

13 (1) CHANGE IN MAXIMUM RATES.—

14 (A) IN GENERAL.—Section 105 of the Leg-
15 islative Branch Appropriation Act, 1968 (2
16 U.S.C. 4575) is amended—

17 (i) in subsection (d)(2), in the second
18 sentence, by striking “or in excess” and all
19 that follows through “per annum.” and in-
20 serting “or in excess of \$173,900.”;

21 (ii) in subsection (e)(3)(B), by strik-
22 ing “in excess of” and all that follows and
23 inserting “in excess of \$173,900.”; and

24 (iii) in subsection (f), in the first sen-
25 tence, by striking “or in excess” and all

1 that follows through “unless expressly”
2 and inserting “or in excess of \$173,900,
3 unless expressly”.

4 (B) AUTHORITY FOR STATUTORY EMPLOY-
5 EES.—

6 (i) FIXED SALARY POSITIONS.—For
7 any position for which the Secretary of the
8 Senate disburses the pay for the position
9 and for which the specific amount of the
10 rate of pay for the particular position is
11 fixed by statute on the day before the ef-
12 fective date of the amendments made by
13 this section, on and after such effective
14 date the amount of the rate of pay for
15 such position shall be fixed by the Presi-
16 dent pro tempore in an amount not to ex-
17 ceed the maximum rate of pay in effect
18 under section 105(f) of the Legislative
19 Branch Appropriation Act, 1968 (2 U.S.C.
20 4575(f)).

21 (ii) POSITIONS WITH MAXIMUMS.—
22 For any position for which the Secretary of
23 the Senate disburses the pay for the posi-
24 tion and for which the maximum rate of
25 pay for the particular position is fixed by

1 statute on the day before the effective date
2 of the amendments made by this section,
3 on and after such effective date the max-
4 imum rate of pay for such position shall be
5 fixed by the President pro tempore, which
6 shall not exceed the maximum rate of pay
7 in effect under section 105(f) of the Legis-
8 lative Branch Appropriation Act, 1968 (2
9 U.S.C. 4575(f)).

10 (2) ADJUSTMENTS.—

11 (A) IN GENERAL.—Section 4 of the Fed-
12 eral Pay Comparability Act of 1970 (2 U.S.C.
13 4571) is amended—

14 (i) in subsection (a)—

15 (I) in paragraph (1)—

16 (aa) in subparagraph (A),
17 by striking “or” at the end; and

18 (bb) by striking subpara-
19 graph (B) and inserting the fol-
20 lowing:

21 “(B) in the case of such personnel appointed to
22 positions for which the rates of pay for the par-
23 ticular positions were fixed by or pursuant to law at
24 specific rates on the day before the effective date of
25 the amendments made by section 212 of the Legisla-

1 tive Branch Appropriations Act, 2020, adjust such
2 rates; and

3 “(C) in the case of such personnel appointed to
4 positions for which the maximum rates of pay for
5 the particular positions were fixed by or pursuant to
6 law on the day before such effective date, adjust
7 such maximum rates; and”; and

8 (II) in the matter following para-
9 graph (2)—

10 (aa) by striking “and with
11 such exceptions as may be nec-
12 essary to provide for appropriate
13 pay relationships between posi-
14 tions”; and

15 (bb) by striking “to restore”
16 and all that follows through “be-
17 tween positions.” and inserting
18 “to maintain the pay relation-
19 ships that existed on the effective
20 date of the amendments made by
21 section 212 of the Legislative
22 Branch Appropriations Act, 2020
23 between the maximum rate of
24 pay for Senate personnel and
25 Senators.”; and

1 (ii) in subsection (d), by striking “to
2 restore” and all that follows and inserting
3 “to maintain the pay relationships that ex-
4 isted on the effective date of the amend-
5 ments made by section 212 of the Legisla-
6 tive Branch Appropriations Act, 2020 be-
7 tween the maximum rate of pay for Senate
8 personnel and Senators.”.

9 (B) OTHER ADJUSTMENTS.—Section
10 315(a) of the Legislative Branch Appropria-
11 tions Act, 1991 (2 U.S.C. 4573(a)) is amended
12 by striking “to the extent necessary to main-
13 tain” and all that follows and inserting “(in-
14 cluding such personnel appointed to positions
15 for which the specific amount of the rate of pay
16 for the particular position is fixed by statute on
17 the day before the effective date of the amend-
18 ments made by section 212 of the Legislative
19 Branch Appropriations Act, 2020 and such per-
20 sonnel appointed to positions for which the
21 maximum rates of pay for the particular posi-
22 tions were fixed by or pursuant to law on the
23 day before such effective date) to the extent
24 necessary to maintain the pay relationships that
25 existed on such effective date between the max-

1 imum rate of pay for Senate personnel and
2 Senators.”.

3 (3) CONFORMING AMENDMENTS.—

4 (A) Section 105 of the Legislative Branch
5 Appropriation Act, 1976 (Public Law 94–59;
6 89 Stat. 275) is repealed.

7 (B) Section 201(a)(5)(A) of the Congres-
8 sional Budget Act of 1974 (2 U.S.C.
9 601(a)(5)(A)) is amended by striking “the
10 lower of—” and all that follows and inserting
11 “the maximum rate of pay in effect under sec-
12 tion 105(f) of the Legislative Branch Appro-
13 priation Act, 1968 (2 U.S.C. 4575(f)).”.

14 (C) Section 302(a)(2)(B) of the Congres-
15 sional Accountability Act of 1995 (2 U.S.C.
16 1382(a)(2)(B)) is amended by striking “the
17 lesser of—” and all that follows and inserting
18 “the maximum rate of pay in effect under sec-
19 tion 105(f) of the Legislative Branch Appro-
20 priation Act, 1968 (2 U.S.C. 4575(f)).”.

21 (D) The first section of the Act entitled
22 “An Act to fix the annual rates of pay for the
23 Architect of the Capitol and the Assistant Ar-
24 chitect of the Capitol” (2 U.S.C. 1802) is
25 amended to read as follows:

1 **“SECTION 1. COMPENSATION.**

2 “The compensation of the Architect of the Capitol
3 shall be at an annual rate which is equal to the maximum
4 rate of pay in effect under section 105(f) of the Legislative
5 Branch Appropriation Act, 1968 (2 U.S.C. 4575(f)).”.

6 (E) Subsection (c) of the first section of
7 the Act entitled “An Act to establish by law the
8 position of Chief of the Capitol Police, and for
9 other purposes” (2 U.S.C. 1902) is amended by
10 striking “the lower of” and all that follows and
11 inserting “the maximum rate of pay in effect
12 under section 105(f) of the Legislative Branch
13 Appropriation Act, 1968 (2 U.S.C. 4575(f)).”.

14 (F) Senate Resolution 89, 100th Congress,
15 agreed to January 28, 1987, as enacted into
16 law by section 9 of the Legislative Branch Ap-
17 propriations Act, 1990 (2 U.S.C. 6133), is
18 amended in subsection (a) of the first section
19 by striking “by the appropriate Leader” and all
20 that follows and inserting “by the appropriate
21 Leader.”.

22 (G) Section 2(a) of the Legislative Branch
23 Appropriations Act, 1988 (as enacted into law
24 by section 101(i) of Public Law 100–202 (101
25 Stat. 1329–290)) (2 U.S.C. 6651) is repealed.

1 (H) Section 203(g) of the Federal Legisla-
2 tive Salary Act of 1964 (Public Law 88–426;
3 78 Stat. 415) is repealed.

4 (I) Section 701 of the Ethics in Govern-
5 ment Act of 1978 (2 U.S.C. 288) is amended—

6 (i) by striking paragraph (4) of sub-
7 section (a); and

8 (ii) in subsection (b)(1), by striking
9 the second sentence.

10 (b) HOUSE OF REPRESENTATIVES.—

11 (1) ADJUSTMENTS BY SPEAKER OF THE
12 HOUSE.—Section 311(d) of the Legislative Branch
13 Appropriations Act, 1988 (as enacted into law by
14 section 101(i) of Public Law 100–202 (101 Stat.
15 1329–290)) (2 U.S.C. 4532) is amended—

16 (A) in paragraph (1)—

17 (i) by striking “and” at the end of
18 subparagraph (A);

19 (ii) by striking the period at the end
20 of subparagraph (B) and inserting “;
21 and”; and

22 (iii) by adding at the end the fol-
23 lowing new subparagraph:

24 “(C) the maintenance of the pay relationship
25 described in paragraph (3).”;

1 (B) by redesignating paragraph (3) as
2 paragraph (4); and

3 (C) by inserting after paragraph (2) the
4 following new paragraph:

5 “(3) The pay relationship described in this paragraph
6 is the relationship in existence as of the effective date of
7 the amendments made by section 212 of the Legislative
8 Branch Appropriations Act, 2020 between—

9 “(A) an annual rate of pay of \$173,900; and

10 “(B) the annual rate of pay of a Member of the
11 House of Representatives who is not the Speaker,
12 Majority Leader, or Minority Leader of the House.”.

13 (2) PAY ADJUSTMENTS BY CHIEF ADMINISTRA-
14 TIVE OFFICER.—Section 4(e) of the Federal Pay
15 Comparability Act of 1970 (2 U.S.C. 4531(e)) is
16 amended to read as follows:

17 “(e) No rate of pay for any position shall be adjusted
18 under this section to an amount in excess of the rate of
19 pay in effect for such position under an order issued by
20 the Speaker of the House of Representatives pursuant to
21 the authority of section 311(d) of the Legislative Branch
22 Appropriations Act, 1988 (2 U.S.C. 4532).”.

23 (3) CERTAIN POSITIONS OF THE HOUSE OF
24 REPRESENTATIVES.—

1 (A) LEGISLATIVE COUNSEL.—Section 523
2 of the Legislative Reorganization Act of 1970
3 (2 U.S.C. 282b) is amended—

4 (i) in subsection (a), by striking
5 “equal to the rate of basic pay” and all
6 that follows and inserting “equal to the
7 greater of \$173,900 or the rate of pay in
8 effect for such position under an order
9 issued by the Speaker of the House of
10 Representatives pursuant to the authority
11 of section 311(d) of the Legislative Branch
12 Appropriations Act, 1988 (2 U.S.C.
13 4532).”; and

14 (ii) in subsection (b), by striking “in
15 excess of the rate of basic pay” and all
16 that follows and inserting “in excess of the
17 applicable rate of pay in effect under an
18 order issued by the Speaker of the House
19 of Representatives pursuant to the author-
20 ity of section 311(d) of the Legislative
21 Branch Appropriations Act, 1988 (2
22 U.S.C. 4532).”.

23 (B) LAW REVISION COUNSEL.—Section
24 205(f) of House Resolution 988, 93rd Con-
25 gress, agreed to October 8, 1974, as enacted

1 into law by the matter under the heading “AD-
2 MINISTRATIVE PROVISIONS” under the heading
3 “HOUSE OF REPRESENTATIVES” under
4 chapter III of title I of the Supplemental Ap-
5 propriations Act, 1975 (2 U.S.C. 285e), is
6 amended by striking “Law Revision Counsel
7 shall be paid” and all that follows and inserting
8 “Law Revision Counsel shall be paid at a per
9 annum gross rate determined by the Speaker
10 not to exceed the greater of \$173,900 or the
11 rate of pay in effect for such position under an
12 order issued by the Speaker pursuant to the au-
13 thority of section 311(d) of the Legislative
14 Branch Appropriations Act, 1988 (2 U.S.C.
15 4532); and members of the staff of the Office
16 other than the Law Revision Counsel shall be
17 paid at per annum gross rates fixed by the Law
18 Revision Counsel with the approval of the
19 Speaker or in accordance with policies approved
20 by the Speaker, but not in excess of the appli-
21 cable rate of pay in effect under an order issued
22 by the Speaker pursuant to the authority of
23 such section.”.

24 (C) PARLIAMENTARIAN.—Section 4 of
25 House Resolution 502, 95th Congress, agreed

1 to April 20, 1977, as enacted into law by sec-
2 tion 115 of the Legislative Branch Appropria-
3 tion Act, 1978 (2 U.S.C. 287c), is amended—

4 (i) in subsection (a), by striking “but
5 not in excess” and all that follows and in-
6 serting “but not in excess of the greater of
7 \$173,900 or the rate of pay in effect for
8 such position under an order issued by the
9 Speaker of the House of Representatives
10 pursuant to the authority of section 311(d)
11 of the Legislative Branch Appropriations
12 Act, 1988 (2 U.S.C. 4532).”; and

13 (ii) in subsection (b), by striking “,
14 but not in excess of the rate of basic pay
15 set forth in subsection (a)” and inserting
16 “but not in excess of the applicable rate of
17 pay in effect under an order issued by the
18 Speaker of the House of Representatives
19 pursuant to the authority of section 311(d)
20 of the Legislative Branch Appropriations
21 Act, 1988 (2 U.S.C. 4532)”.

22 (D) CHAPLAIN.—Section 3 of House Reso-
23 lution 661, 95th Congress, agreed to July 29,
24 1977, as enacted into law by section 111 of the
25 Legislative Branch Appropriation Act, 1979 (2

1 U.S.C. 5521), is amended by striking section 3
2 and inserting the following:

3 “SEC. 3. The maximum per year gross rate of com-
4 pensation of the Chaplain of the House of Representatives
5 shall not exceed the greater of \$173,900 or the rate of
6 pay in effect for such position under an order issued by
7 the Speaker of the House of Representatives pursuant to
8 the authority of section 311(d) of the Legislative Branch
9 Appropriations Act, 1988 (2 U.S.C. 4532).”.

10 (E) CERTAIN LEADERSHIP EMPLOYEES.—

11 Subsection (b) of the first section of House
12 Resolution 393, 95th Congress, agreed to
13 March 31, 1977, as enacted into law by section
14 115 of the Legislative Branch Appropriation
15 Act, 1978 (2 U.S.C. 5141(b)), is amended by
16 striking “The annual rate” and all that follows
17 through “United States Code,” and inserting
18 the following: “The maximum annual rate of
19 compensation for any individual employed
20 under subsection (a) shall not exceed the great-
21 er of \$173,900 or the applicable rate of pay in
22 effect under an order issued by the Speaker of
23 the House of Representatives pursuant to the
24 authority of section 311(d) of the Legislative

1 Branch Appropriations Act, 1988 (2 U.S.C.
2 4532),”.

3 (4) CHIEF OF STAFF OF JOINT COMMITTEE ON
4 TAXATION.—Section 214(e) of the Postal Revenue
5 and Federal Salary Act of 1967 (2 U.S.C. 4302) is
6 amended by striking “The per annum rate of com-
7 pensation” and all that follows through the period at
8 the end and inserting the following: “The maximum
9 annual rate of compensation of the Chief of Staff of
10 the Joint Committee on Taxation shall not exceed
11 the greater of \$173,900 or the rate of pay in effect
12 for such position under an order issued by the
13 Speaker of the House of Representatives pursuant to
14 the authority of section 311(d) of the Legislative
15 Branch Appropriations Act, 1988 (2 U.S.C. 4532).”.

16 (c) EFFECTIVE DATE.—This section and the amend-
17 ments made by this section shall take effect on the later
18 of—

19 (1) the first day of the first applicable pay pe-
20 riod beginning on or after January 1, 2020; or

21 (2) the first day of the first applicable pay pe-
22 riod beginning on or after the date of enactment of
23 this Act.

24 This division may be cited as the “Legislative Branch
25 Appropriations Act, 2020”.

1 **DIVISION F—MILITARY CONSTRUCTION,**
2 **VETERANS AFFAIRS, AND RELATED**
3 **AGENCIES APPROPRIATIONS ACT, 2020**

4 TITLE I

5 DEPARTMENT OF DEFENSE

6 MILITARY CONSTRUCTION, ARMY

7 For acquisition, construction, installation, and equip-
8 ment of temporary or permanent public works, military
9 installations, facilities, and real property for the Army as
10 currently authorized by law, including personnel in the
11 Army Corps of Engineers and other personal services nec-
12 essary for the purposes of this appropriation, and for con-
13 struction and operation of facilities in support of the func-
14 tions of the Commander in Chief, \$1,178,499,000, to re-
15 main available until September 30, 2024: *Provided*, That,
16 of this amount, not to exceed \$136,099,000 shall be avail-
17 able for study, planning, design, architect and engineer
18 services, and host nation support, as authorized by law,
19 unless the Secretary of the Army determines that addi-
20 tional obligations are necessary for such purposes and no-
21 tifies the Committees on Appropriations of both Houses
22 of Congress of the determination and the reasons therefor.

23 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

24 For acquisition, construction, installation, and equip-
25 ment of temporary or permanent public works, naval in-

1 stallations, facilities, and real property for the Navy and
2 Marine Corps as currently authorized by law, including
3 personnel in the Naval Facilities Engineering Command
4 and other personal services necessary for the purposes of
5 this appropriation, \$2,449,632,000, to remain available
6 until September 30, 2024: *Provided*, That, of this amount,
7 not to exceed \$178,715,000 shall be available for study,
8 planning, design, and architect and engineer services, as
9 authorized by law, unless the Secretary of the Navy deter-
10 mines that additional obligations are necessary for such
11 purposes and notifies the Committees on Appropriations
12 of both Houses of Congress of the determination and the
13 reasons therefor.

14 MILITARY CONSTRUCTION, AIR FORCE

15 For acquisition, construction, installation, and equip-
16 ment of temporary or permanent public works, military
17 installations, facilities, and real property for the Air Force
18 as currently authorized by law, \$1,687,230,000, to remain
19 available until September 30, 2024: *Provided*, That, of
20 this amount, not to exceed \$153,148,000 shall be available
21 for study, planning, design, and architect and engineer
22 services, as authorized by law, unless the Secretary of the
23 Air Force determines that additional obligations are nec-
24 essary for such purposes and notifies the Committees on

1 Appropriations of both Houses of Congress of the deter-
2 mination and the reasons therefor.

3 MILITARY CONSTRUCTION, DEFENSE-WIDE
4 (INCLUDING TRANSFER OF FUNDS)

5 For acquisition, construction, installation, and equip-
6 ment of temporary or permanent public works, installa-
7 tions, facilities, and real property for activities and agen-
8 cies of the Department of Defense (other than the military
9 departments), as currently authorized by law,
10 \$2,362,529,000, to remain available until September 30,
11 2024: *Provided*, That such amounts of this appropriation
12 as may be determined by the Secretary of Defense may
13 be transferred to such appropriations of the Department
14 of Defense available for military construction or family
15 housing as the Secretary may designate, to be merged with
16 and to be available for the same purposes, and for the
17 same time period, as the appropriation or fund to which
18 transferred: *Provided further*, That, of the amount, not to
19 exceed \$298,655,000 shall be available for study, plan-
20 ning, design, and architect and engineer services, as au-
21 thorized by law, unless the Secretary of Defense deter-
22 mines that additional obligations are necessary for such
23 purposes and notifies the Committees on Appropriations
24 of both Houses of Congress of the determination and the
25 reasons therefor.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For construction, acquisition, expansion, rehabilita-
3 tion, and conversion of facilities for the training and ad-
4 ministration of the Army National Guard, and contribu-
5 tions therefor, as authorized by chapter 1803 of title 10,
6 United States Code, and Military Construction Authoriza-
7 tion Acts, \$210,819,000, to remain available until Sep-
8 tember 30, 2024: *Provided*, That, of the amount, not to
9 exceed \$20,469,000 shall be available for study, planning,
10 design, and architect and engineer services, as authorized
11 by law, unless the Director of the Army National Guard
12 determines that additional obligations are necessary for
13 such purposes and notifies the Committees on Appropria-
14 tions of both Houses of Congress of the determination and
15 the reasons therefor.

16 MILITARY CONSTRUCTION, AIR NATIONAL GUARD

17 For construction, acquisition, expansion, rehabilita-
18 tion, and conversion of facilities for the training and ad-
19 ministration of the Air National Guard, and contributions
20 therefor, as authorized by chapter 1803 of title 10, United
21 States Code, and Military Construction Authorization
22 Acts, \$164,471,000, to remain available until September
23 30, 2024: *Provided*, That, of the amount, not to exceed
24 \$17,000,000 shall be available for study, planning, design,
25 and architect and engineer services, as authorized by law,

1 unless the Director of the Air National Guard determines
2 that additional obligations are necessary for such purposes
3 and notifies the Committees on Appropriations of both
4 Houses of Congress of the determination and the reasons
5 therefor.

6 MILITARY CONSTRUCTION, ARMY RESERVE

7 For construction, acquisition, expansion, rehabilita-
8 tion, and conversion of facilities for the training and ad-
9 ministration of the Army Reserve as authorized by chapter
10 1803 of title 10, United States Code, and Military Con-
11 struction Authorization Acts, \$60,928,000, to remain
12 available until September 30, 2024: *Provided*, That, of the
13 amount, not to exceed \$6,000,000 shall be available for
14 study, planning, design, and architect and engineer serv-
15 ices, as authorized by law, unless the Chief of the Army
16 Reserve determines that additional obligations are nec-
17 essary for such purposes and notifies the Committees on
18 Appropriations of both Houses of Congress of the deter-
19 mination and the reasons therefor.

20 MILITARY CONSTRUCTION, NAVY RESERVE

21 For construction, acquisition, expansion, rehabilita-
22 tion, and conversion of facilities for the training and ad-
23 ministration of the reserve components of the Navy and
24 Marine Corps as authorized by chapter 1803 of title 10,
25 United States Code, and Military Construction Authoriza-

1 tion Acts, \$54,955,000, to remain available until Sep-
2 tember 30, 2024: *Provided*, That, of the amount, not to
3 exceed \$4,780,000 shall be available for study, planning,
4 design, and architect and engineer services, as authorized
5 by law, unless the Secretary of the Navy determines that
6 additional obligations are necessary for such purposes and
7 notifies the Committees on Appropriations of both Houses
8 of Congress of the determination and the reasons therefor.

9 MILITARY CONSTRUCTION, AIR FORCE RESERVE

10 For construction, acquisition, expansion, rehabilita-
11 tion, and conversion of facilities for the training and ad-
12 ministration of the Air Force Reserve as authorized by
13 chapter 1803 of title 10, United States Code, and Military
14 Construction Authorization Acts, \$59,750,000, to remain
15 available until September 30, 2024: *Provided*, That, of the
16 amount, not to exceed \$4,604,000 shall be available for
17 study, planning, design, and architect and engineer serv-
18 ices, as authorized by law, unless the Chief of the Air
19 Force Reserve determines that additional obligations are
20 necessary for such purposes and notifies the Committees
21 on Appropriations of both Houses of Congress of the de-
22 termination and the reasons therefor.

1 NORTH ATLANTIC TREATY ORGANIZATION
2 SECURITY INVESTMENT PROGRAM

3 For the United States share of the cost of the North
4 Atlantic Treaty Organization Security Investment Pro-
5 gram for the acquisition and construction of military fa-
6 cilities and installations (including international military
7 headquarters) and for related expenses for the collective
8 defense of the North Atlantic Treaty Area as authorized
9 by section 2806 of title 10, United States Code, and Mili-
10 tary Construction Authorization Acts, \$172,005,000, to
11 remain available until expended.

12 DEPARTMENT OF DEFENSE BASE CLOSURE ACCOUNT

13 For deposit into the Department of Defense Base
14 Closure Account, established by section 2906(a) of the De-
15 fense Base Closure and Realignment Act of 1990 (10
16 U.S.C. 2687 note), \$398,526,000, to remain available
17 until expended.

18 FAMILY HOUSING CONSTRUCTION, ARMY

19 For expenses of family housing for the Army for con-
20 struction, including acquisition, replacement, addition, ex-
21 pansion, extension, and alteration, as authorized by law,
22 \$141,372,000, to remain available until September 30,
23 2024.

1 \$103,631,000, to remain available until September 30,
2 2024.

3 FAMILY HOUSING OPERATION AND MAINTENANCE, AIR
4 FORCE

5 For expenses of family housing for the Air Force for
6 operation and maintenance, including debt payment, leas-
7 ing, minor construction, principal and interest charges,
8 and insurance premiums, as authorized by law,
9 \$295,016,000.

10 FAMILY HOUSING OPERATION AND MAINTENANCE,
11 DEFENSE-WIDE

12 For expenses of family housing for the activities and
13 agencies of the Department of Defense (other than the
14 military departments) for operation and maintenance,
15 leasing, and minor construction, as authorized by law,
16 \$57,000,000.

17 DEPARTMENT OF DEFENSE

18 FAMILY HOUSING IMPROVEMENT FUND

19 For the Department of Defense Family Housing Im-
20 provement Fund, \$3,045,000, to remain available until ex-
21 pended, for family housing initiatives undertaken pursu-
22 ant to section 2883 of title 10, United States Code, pro-
23 viding alternative means of acquiring and improving mili-
24 tary family housing and supporting facilities.

1 DEPARTMENT OF DEFENSE
2 MILITARY UNACCOMPANIED HOUSING IMPROVEMENT
3 FUND

4 For the Department of Defense Military Unaccom-
5 panied Housing Improvement Fund, \$500,000, to remain
6 available until expended, for unaccompanied housing ini-
7 tiatives undertaken pursuant to section 2883 of title 10,
8 United States Code, providing alternative means of acquir-
9 ing and improving military unaccompanied housing and
10 supporting facilities.

11 ADMINISTRATIVE PROVISIONS

12 SEC. 101. None of the funds made available in this
13 title shall be expended for payments under a cost-plus-a-
14 fixed-fee contract for construction, where cost estimates
15 exceed \$25,000, to be performed within the United States,
16 except Alaska, without the specific approval in writing of
17 the Secretary of Defense setting forth the reasons there-
18 for.

19 SEC. 102. Funds made available in this title for con-
20 struction shall be available for hire of passenger motor ve-
21 hicles.

22 SEC. 103. Funds made available in this title for con-
23 struction may be used for advances to the Federal High-
24 way Administration, Department of Transportation, for
25 the construction of access roads as authorized by section

1 210 of title 23, United States Code, when projects author-
2 ized therein are certified as important to the national de-
3 fense by the Secretary of Defense.

4 SEC. 104. None of the funds made available in this
5 title may be used to begin construction of new bases in
6 the United States for which specific appropriations have
7 not been made.

8 SEC. 105. None of the funds made available in this
9 title shall be used for purchase of land or land easements
10 in excess of 100 percent of the value as determined by
11 the Army Corps of Engineers or the Naval Facilities Engi-
12 neering Command, except: (1) where there is a determina-
13 tion of value by a Federal court; (2) purchases negotiated
14 by the Attorney General or the designee of the Attorney
15 General; (3) where the estimated value is less than
16 \$25,000; or (4) as otherwise determined by the Secretary
17 of Defense to be in the public interest.

18 SEC. 106. None of the funds made available in this
19 title shall be used to: (1) acquire land; (2) provide for site
20 preparation; or (3) install utilities for any family housing,
21 except housing for which funds have been made available
22 in annual Acts making appropriations for military con-
23 struction.

24 SEC. 107. None of the funds made available in this
25 title for minor construction may be used to transfer or

1 relocate any activity from one base or installation to an-
2 other, without prior notification to the Committees on Ap-
3 propriations of both Houses of Congress.

4 SEC. 108. None of the funds made available in this
5 title may be used for the procurement of steel for any con-
6 struction project or activity for which American steel pro-
7 ducers, fabricators, and manufacturers have been denied
8 the opportunity to compete for such steel procurement.

9 SEC. 109. None of the funds available to the Depart-
10 ment of Defense for military construction or family hous-
11 ing during the current fiscal year may be used to pay real
12 property taxes in any foreign nation.

13 SEC. 110. None of the funds made available in this
14 title may be used to initiate a new installation overseas
15 without prior notification to the Committees on Appro-
16 priations of both Houses of Congress.

17 SEC. 111. None of the funds made available in this
18 title may be obligated for architect and engineer contracts
19 estimated by the Government to exceed \$500,000 for
20 projects to be accomplished in Japan, in any North Atlan-
21 tic Treaty Organization member country, or in countries
22 bordering the Arabian Gulf, unless such contracts are
23 awarded to United States firms or United States firms
24 in joint venture with host nation firms.

1 SEC. 112. None of the funds made available in this
2 title for military construction in the United States terri-
3 tories and possessions in the Pacific and on Kwajalein
4 Atoll, or in countries bordering the Arabian Gulf, may be
5 used to award any contract estimated by the Government
6 to exceed \$1,000,000 to a foreign contractor: *Provided*,
7 That this section shall not be applicable to contract
8 awards for which the lowest responsive and responsible bid
9 of a United States contractor exceeds the lowest respon-
10 sive and responsible bid of a foreign contractor by greater
11 than 20 percent: *Provided further*, That this section shall
12 not apply to contract awards for military construction on
13 Kwajalein Atoll for which the lowest responsive and re-
14 sponsible bid is submitted by a Marshallese contractor.

15 SEC. 113. The Secretary of Defense shall inform the
16 appropriate committees of both Houses of Congress, in-
17 cluding the Committees on Appropriations, of plans and
18 scope of any proposed military exercise involving United
19 States personnel 30 days prior to its occurring, if amounts
20 expended for construction, either temporary or permanent,
21 are anticipated to exceed \$100,000.

22 SEC. 114. Funds appropriated to the Department of
23 Defense for construction in prior years shall be available
24 for construction authorized for each such military depart-

1 ment by the authorizations enacted into law during the
2 current session of Congress.

3 SEC. 115. For military construction or family housing
4 projects that are being completed with funds otherwise ex-
5 pired or lapsed for obligation, expired or lapsed funds may
6 be used to pay the cost of associated supervision, inspec-
7 tion, overhead, engineering and design on those projects
8 and on subsequent claims, if any.

9 SEC. 116. Notwithstanding any other provision of
10 law, any funds made available to a military department
11 or defense agency for the construction of military projects
12 may be obligated for a military construction project or
13 contract, or for any portion of such a project or contract,
14 at any time before the end of the fourth fiscal year after
15 the fiscal year for which funds for such project were made
16 available, if the funds obligated for such project: (1) are
17 obligated from funds available for military construction
18 projects; and (2) do not exceed the amount appropriated
19 for such project, plus any amount by which the cost of
20 such project is increased pursuant to law.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 117. Subject to 30 days prior notification, or
23 14 days for a notification provided in an electronic me-
24 dium pursuant to sections 480 and 2883 of title 10,
25 United States Code, to the Committees on Appropriations

1 of both Houses of Congress, such additional amounts as
2 may be determined by the Secretary of Defense may be
3 transferred to: (1) the Department of Defense Family
4 Housing Improvement Fund from amounts appropriated
5 for construction in “Family Housing” accounts, to be
6 merged with and to be available for the same purposes
7 and for the same period of time as amounts appropriated
8 directly to the Fund; or (2) the Department of Defense
9 Military Unaccompanied Housing Improvement Fund
10 from amounts appropriated for construction of military
11 unaccompanied housing in “Military Construction” ac-
12 counts, to be merged with and to be available for the same
13 purposes and for the same period of time as amounts ap-
14 propriated directly to the Fund: *Provided*, That appropria-
15 tions made available to the Funds shall be available to
16 cover the costs, as defined in section 502(5) of the Con-
17 gressional Budget Act of 1974, of direct loans or loan
18 guarantees issued by the Department of Defense pursuant
19 to the provisions of subchapter IV of chapter 169 of title
20 10, United States Code, pertaining to alternative means
21 of acquiring and improving military family housing, mili-
22 tary unaccompanied housing, and supporting facilities.

23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 118. In addition to any other transfer authority
25 available to the Department of Defense, amounts may be

1 transferred from the Department of Defense Base Closure
2 Account to the fund established by section 1013(d) of the
3 Demonstration Cities and Metropolitan Development Act
4 of 1966 (42 U.S.C. 3374) to pay for expenses associated
5 with the Homeowners Assistance Program incurred under
6 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall
7 be merged with and be available for the same purposes
8 and for the same time period as the fund to which trans-
9 ferred.

10 SEC. 119. Notwithstanding any other provision of
11 law, funds made available in this title for operation and
12 maintenance of family housing shall be the exclusive
13 source of funds for repair and maintenance of all family
14 housing units, including general or flag officer quarters:
15 *Provided*, That not more than \$35,000 per unit may be
16 spent annually for the maintenance and repair of any gen-
17 eral or flag officer quarters without 30 days prior notifica-
18 tion, or 14 days for a notification provided in an electronic
19 medium pursuant to sections 480 and 2883 of title 10,
20 United States Code, to the Committees on Appropriations
21 of both Houses of Congress, except that an after-the-fact
22 notification shall be submitted if the limitation is exceeded
23 solely due to costs associated with environmental remedi-
24 ation that could not be reasonably anticipated at the time
25 of the budget submission: *Provided further*, That the

1 Under Secretary of Defense (Comptroller) is to report an-
2 nually to the Committees on Appropriations of both
3 Houses of Congress all operation and maintenance ex-
4 penditures for each individual general or flag officer quar-
5 ters for the prior fiscal year.

6 SEC. 120. Amounts contained in the Ford Island Im-
7 provement Account established by subsection (h) of sec-
8 tion 2814 of title 10, United States Code, are appro-
9 priated and shall be available until expended for the pur-
10 poses specified in subsection (i)(1) of such section or until
11 transferred pursuant to subsection (i)(3) of such section.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 121. During the 5-year period after appropria-
14 tions available in this Act to the Department of Defense
15 for military construction and family housing operation and
16 maintenance and construction have expired for obligation,
17 upon a determination that such appropriations will not be
18 necessary for the liquidation of obligations or for making
19 authorized adjustments to such appropriations for obliga-
20 tions incurred during the period of availability of such ap-
21 propriations, unobligated balances of such appropriations
22 may be transferred into the appropriation “Foreign Cur-
23 rency Fluctuations, Construction, Defense”, to be merged
24 with and to be available for the same time period and for

1 the same purposes as the appropriation to which trans-
2 ferred.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 122. Amounts appropriated or otherwise made
5 available in an account funded under the headings in this
6 title may be transferred among projects and activities
7 within the account in accordance with the reprogramming
8 guidelines for military construction and family housing
9 construction contained in Department of Defense Finan-
10 cial Management Regulation 7000.14–R, Volume 3, Chap-
11 ter 7, of March 2011, as in effect on the date of enactment
12 of this Act.

13 SEC. 123. None of the funds made available in this
14 title may be obligated or expended for planning and design
15 and construction of projects at Arlington National Ceme-
16 tery.

17 SEC. 124. For an additional amount for the accounts
18 and in the amounts specified, to remain available until
19 September 30, 2024:

20 “Military Construction, Army”, \$79,500,000;

21 “Military Construction, Navy and Marine
22 Corps”, \$374,529,000;

23 “Military Construction, Air Force”,
24 \$288,200,000;

1 “Military Construction, Defense-Wide”,
2 \$45,055,000; and
3 “NATO Security Investment Program”,
4 \$25,000,000:

5 *Provided*, That no amounts may be rescinded from
6 amounts that were designated by the Congress for Over-
7 seas Contingency Operations/Global War on Terrorism or
8 as an emergency requirement pursuant to a concurrent
9 resolution on the budget or the Balanced Budget and
10 Emergency Deficit Control Act of 1985, as amended.

11 SEC. 126. For the purposes of this Act, the term
12 “congressional defense committees” means the Commit-
13 tees on Armed Services of the House of Representatives
14 and the Senate, the Subcommittee on Military Construc-
15 tion and Veterans Affairs of the Committee on Appropria-
16 tions of the Senate, and the Subcommittee on Military
17 Construction and Veterans Affairs of the Committee on
18 Appropriations of the House of Representatives.

19 SEC. 127. None of the funds made available by this
20 Act may be used to carry out the closure or realignment
21 of the United States Naval Station, Guantánamo Bay,
22 Cuba.

23 SEC. 128. Notwithstanding any other provision of
24 law, none of the funds appropriated or otherwise made
25 available by this or any other Act may be used to consoli-

1 date or relocate any element of a United States Air Force
2 Rapid Engineer Deployable Heavy Operational Repair
3 Squadron Engineer (RED HORSE) outside of the United
4 States until the Secretary of the Air Force: (1) completes
5 an analysis and comparison of the cost and infrastructure
6 investment required to consolidate or relocate a RED
7 HORSE squadron outside of the United States versus
8 within the United States; (2) provides to the Committees
9 on Appropriations of both Houses of Congress (“the Com-
10 mittees”) a report detailing the findings of the cost anal-
11 ysis; and (3) certifies in writing to the Committees that
12 the preferred site for the consolidation or relocation yields
13 the greatest savings for the Air Force: *Provided*, That the
14 term “United States” in this section does not include any
15 territory or possession of the United States.

16 SEC. 129. All amounts appropriated to the “Depart-
17 ment of Defense—Military Construction, Army”, “De-
18 partment of Defense—Military Construction, Navy and
19 Marine Corps”, “Department of Defense—Military Con-
20 struction, Air Force”, and “Department of Defense—Mili-
21 tary Construction, Defense-Wide” accounts pursuant to
22 the authorization of appropriations in a National Defense
23 Authorization Act specified for fiscal year 2020 in the
24 funding table in section 4601 of that Act shall be imme-

1 diately available and allotted to contract for the full scope
2 of authorized projects.

3 SEC. 130. For an additional amount for the accounts
4 and in the amounts specified for planning and design, for
5 improving military installation resilience, to remain avail-
6 able until September 30, 2024:

7 “Military Construction, Army”, \$20,000,000;

8 “Military Construction, Navy and Marine
9 Corps”, \$35,000,000; and

10 “Military Construction, Air Force”,
11 \$20,000,000:

12 *Provided*, That not later than 60 days after enactment of
13 this Act, the Secretary of the military department con-
14 cerned, or his or her designee, shall submit to the Commit-
15 tees on Appropriations of both Houses of Congress an ex-
16 penditure plan for funds provided under this section: *Pro-*
17 *vided further*, That the Secretary of the military depart-
18 ment concerned may not obligate or expend any funds
19 prior to approval by the Committees on Appropriations of
20 both Houses of Congress of the expenditure plan required
21 by this section.

22 SEC. 131. For an additional amount for the accounts
23 and in the amounts specified, to remain available until
24 September 30, 2021:

1 “Family Housing Operation and Maintenance,
2 Army”, \$50,000,000;
3 “Family Housing Operation and Maintenance,
4 Navy and Marine Corps”, \$59,600,000; and
5 “Family Housing Operation and Maintenance,
6 Air Force”, \$31,200,000.

1 TITLE II
2 DEPARTMENT OF VETERANS AFFAIRS
3 VETERANS BENEFITS ADMINISTRATION
4 COMPENSATION AND PENSIONS
5 (INCLUDING TRANSFER OF FUNDS)

6 For the payment of compensation benefits to or on
7 behalf of veterans and a pilot program for disability ex-
8 aminations as authorized by section 107 and chapters 11,
9 13, 18, 51, 53, 55, and 61 of title 38, United States Code;
10 pension benefits to or on behalf of veterans as authorized
11 by chapters 15, 51, 53, 55, and 61 of title 38, United
12 States Code; and burial benefits, the Reinstated Entitle-
13 ment Program for Survivors, emergency and other offi-
14 cers' retirement pay, adjusted-service credits and certifi-
15 cates, payment of premiums due on commercial life insur-
16 ance policies guaranteed under the provisions of title IV
17 of the Servicemembers Civil Relief Act (50 U.S.C. App.
18 541 et seq.) and for other benefits as authorized by sec-
19 tions 107, 1312, 1977, and 2106, and chapters 23, 51,
20 53, 55, and 61 of title 38, United States Code,
21 \$1,439,931,000, which shall be in addition to funds pre-
22 viously appropriated under this heading that became avail-
23 able on October 1, 2019; and, \$118,246,975,000 shall be-
24 come available on October 1, 2020: *Provided*, That not
25 to exceed \$18,147,000 of the amount made available for

1 fiscal year 2021 under this heading shall be reimbursed
2 to “General Operating Expenses, Veterans Benefits Ad-
3 ministration”, and “Information Technology Systems” for
4 necessary expenses in implementing the provisions of
5 chapters 51, 53, and 55 of title 38, United States Code,
6 the funding source for which is specifically provided as the
7 “Compensation and Pensions” appropriation: *Provided*
8 *further*, That such sums as may be earned on an actual
9 qualifying patient basis, shall be reimbursed to “Medical
10 Care Collections Fund” to augment the funding of indi-
11 vidual medical facilities for nursing home care provided
12 to pensioners as authorized.

13 READJUSTMENT BENEFITS

14 For the payment of readjustment and rehabilitation
15 benefits to or on behalf of veterans as authorized by chap-
16 ters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and
17 61 of title 38, United States Code, \$12,578,965,000, to
18 remain available until expended and to become available
19 on October 1, 2020: *Provided*, That expenses for rehabili-
20 tation program services and assistance which the Sec-
21 retary is authorized to provide under subsection (a) of sec-
22 tion 3104 of title 38, United States Code, other than
23 under paragraphs (1), (2), (5), and (11) of that sub-
24 section, shall be charged to this account.

1 VETERANS INSURANCE AND INDEMNITIES

2 For military and naval insurance, national service life
3 insurance, servicemen's indemnities, service-disabled vet-
4 erans insurance, and veterans mortgage life insurance as
5 authorized by chapters 19 and 21 of title 38, United
6 States Code, \$17,620,000, which shall be in addition to
7 funds previously appropriated under this heading that be-
8 came available on October 1, 2019, to remain available
9 until expended; and, in addition, \$129,224,000, shall be-
10 come available on October 1, 2020, and shall remain avail-
11 able until expended.

12 VETERANS HOUSING BENEFIT PROGRAM FUND

13 For the cost of direct and guaranteed loans, such
14 sums as may be necessary to carry out the program, as
15 authorized by subchapters I through III of chapter 37 of
16 title 38, United States Code: *Provided*, That such costs,
17 including the cost of modifying such loans, shall be as de-
18 fined in section 502 of the Congressional Budget Act of
19 1974: *Provided further*, That, during fiscal year 2020,
20 within the resources available, not to exceed \$500,000 in
21 gross obligations for direct loans are authorized for spe-
22 cially adapted housing loans.

23 In addition, for administrative expenses to carry out
24 the direct and guaranteed loan programs, \$200,377,391.

1 VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

2 For the cost of direct loans, \$57,729, as authorized
3 by chapter 31 of title 38, United States Code: *Provided*,
4 That such costs, including the cost of modifying such
5 loans, shall be as defined in section 502 of the Congres-
6 sional Budget Act of 1974: *Provided further*, That funds
7 made available under this heading are available to sub-
8 sidize gross obligations for the principal amount of direct
9 loans not to exceed \$2,008,232.

10 In addition, for administrative expenses necessary to
11 carry out the direct loan program, \$401,880, which may
12 be paid to the appropriation for “General Operating Ex-
13 penses, Veterans Benefits Administration”.

14 NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM

15 ACCOUNT

16 For administrative expenses to carry out the direct
17 loan program authorized by subchapter V of chapter 37
18 of title 38, United States Code, \$1,186,000.

19 GENERAL OPERATING EXPENSES, VETERANS BENEFITS

20 ADMINISTRATION

21 For necessary operating expenses of the Veterans
22 Benefits Administration, not otherwise provided for, in-
23 cluding hire of passenger motor vehicles, reimbursement
24 of the General Services Administration for security guard
25 services, and reimbursement of the Department of De-

1 fense for the cost of overseas employee mail,
2 \$3,125,000,000: *Provided*, That expenses for services and
3 assistance authorized under paragraphs (1), (2), (5), and
4 (11) of section 3104(a) of title 38, United States Code,
5 that the Secretary of Veterans Affairs determines are nec-
6 essary to enable entitled veterans: (1) to the maximum ex-
7 tent feasible, to become employable and to obtain and
8 maintain suitable employment; or (2) to achieve maximum
9 independence in daily living, shall be charged to this ac-
10 count: *Provided further*, That, of the funds made available
11 under this heading, not to exceed 10 percent shall remain
12 available until September 30, 2021.

13 VETERANS HEALTH ADMINISTRATION

14 MEDICAL SERVICES

15 For necessary expenses for furnishing, as authorized
16 by law, inpatient and outpatient care and treatment to
17 beneficiaries of the Department of Veterans Affairs and
18 veterans described in section 1705(a) of title 38, United
19 States Code, including care and treatment in facilities not
20 under the jurisdiction of the Department, and including
21 medical supplies and equipment, bioengineering services,
22 food services, and salaries and expenses of healthcare em-
23 ployees hired under title 38, United States Code, assist-
24 ance and support services for caregivers as authorized by
25 section 1720G of title 38, United States Code, loan repay-

1 ments authorized by section 604 of the Caregivers and
2 Veterans Omnibus Health Services Act of 2010 (Public
3 Law 111–163; 124 Stat. 1174; 38 U.S.C. 7681 note),
4 monthly assistance allowances authorized by section
5 322(d) of title 38, United States Code, grants authorized
6 by section 521A of title 38, United States Code, and ad-
7 ministrative expenses necessary to carry out sections
8 322(d) and 521A of title 38, United States Code, and hos-
9 pital care and medical services authorized by section 1787
10 of title 38, United States Code; \$56,158,015,000, plus re-
11 imbursements, shall become available on October 1, 2020,
12 and shall remain available until September 30, 2021: *Pro-*
13 *vided*, That, of the amount made available on October 1,
14 2020, under this heading, \$1,500,000,000 shall remain
15 available until September 30, 2022: *Provided further*,
16 That, notwithstanding any other provision of law, the Sec-
17 retary of Veterans Affairs shall establish a priority for the
18 provision of medical treatment for veterans who have serv-
19 ice-connected disabilities, lower income, or have special
20 needs: *Provided further*, That, notwithstanding any other
21 provision of law, the Secretary of Veterans Affairs shall
22 give priority funding for the provision of basic medical
23 benefits to veterans in enrollment priority groups 1
24 through 6: *Provided further*, That, notwithstanding any
25 other provision of law, the Secretary of Veterans Affairs

1 may authorize the dispensing of prescription drugs from
2 Veterans Health Administration facilities to enrolled vet-
3 erans with privately written prescriptions based on re-
4 quirements established by the Secretary: *Provided further*,
5 That the implementation of the program described in the
6 previous proviso shall incur no additional cost to the De-
7 partment of Veterans Affairs: *Provided further*, That the
8 Secretary of Veterans Affairs shall ensure that sufficient
9 amounts appropriated under this heading for medical sup-
10 plies and equipment are available for the acquisition of
11 prosthetics designed specifically for female veterans: *Pro-*
12 *vided further*, That of the amount that became available
13 on October 1, 2019, under this heading, not less than
14 \$585,000,000 shall be for gender-specific care for women.

15 MEDICAL COMMUNITY CARE

16 For necessary expenses for furnishing health care to
17 individuals pursuant to chapter 17 of title 38, United
18 States Code, at non-Department facilities,
19 \$4,521,400,000, which shall be in addition to funds pre-
20 viously appropriated under this heading that became avail-
21 able on October 1, 2019; and, in addition,
22 \$17,131,179,000, plus reimbursements, shall become
23 available on October 1, 2020, and shall remain available
24 until September 30, 2021: *Provided*, That, of the amount
25 made available on October 1, 2020, under this heading,

1 \$2,000,000,000 shall remain available until September 30,
2 2022: *Provided further*, That \$615,000,000 of the addi-
3 tional amounts provided for fiscal year 2020 under this
4 heading in this Act shall be derived by transfer from the
5 Veterans Choice Fund pursuant to the authority in section
6 802(c)(4) of the Veterans Access, Choice, and Account-
7 ability Act of 2014, as amended (38 U.S.C. 1701 note),
8 from prior year unobligated balances in that Fund that
9 were provided by section 510 of the VA MISSION Act
10 of 2018 (Public Law 115–182).

11 MEDICAL SUPPORT AND COMPLIANCE

12 For necessary expenses in the administration of the
13 medical, hospital, nursing home, domiciliary, construction,
14 supply, and research activities, as authorized by law; ad-
15 ministrative expenses in support of capital policy activi-
16 ties; and administrative and legal expenses of the Depart-
17 ment for collecting and recovering amounts owed the De-
18 partment as authorized under chapter 17 of title 38,
19 United States Code, and the Federal Medical Care Recov-
20 ery Act (42 U.S.C. 2651 et seq.), \$98,800,000 which shall
21 be in addition to funds previously appropriated under this
22 heading that became available on October 1, 2019; and,
23 in addition, \$7,914,191,000, plus reimbursements, shall
24 become available on October 1, 2020, and shall remain
25 available until September 30, 2021: *Provided*, That, of the

1 amount made available on October 1, 2020, under this
2 heading, \$150,000,000 shall remain available until Sep-
3 tember 30, 2022.

4 MEDICAL FACILITIES

5 For necessary expenses for the maintenance and op-
6 eration of hospitals, nursing homes, domiciliary facilities,
7 and other necessary facilities of the Veterans Health Ad-
8 ministration; for administrative expenses in support of
9 planning, design, project management, real property ac-
10 quisition and disposition, construction, and renovation of
11 any facility under the jurisdiction or for the use of the
12 Department; for oversight, engineering, and architectural
13 activities not charged to project costs; for repairing, alter-
14 ing, improving, or providing facilities in the several hos-
15 pitals and homes under the jurisdiction of the Depart-
16 ment, not otherwise provided for, either by contract or by
17 the hire of temporary employees and purchase of mate-
18 rials; for leases of facilities; and for laundry services;
19 \$6,433,265,000, plus reimbursements, shall become avail-
20 able on October 1, 2020, and shall remain available until
21 September 30, 2021: *Provided*, That, of the amount made
22 available on October 1, 2020, under this heading,
23 \$250,000,000 shall remain available until September 30,
24 2022.

1 MEDICAL AND PROSTHETIC RESEARCH

2 For necessary expenses in carrying out programs of
3 medical and prosthetic research and development as au-
4 thorized by chapter 73 of title 38, United States Code,
5 \$800,000,000, plus reimbursements, shall remain avail-
6 able until September 30, 2021: *Provided*, That the Sec-
7 retary of Veterans Affairs shall ensure that sufficient
8 amounts appropriated under this heading are available for
9 prosthetic research specifically for female veterans, and
10 for toxic exposure research.

11 NATIONAL CEMETERY ADMINISTRATION

12 For necessary expenses of the National Cemetery Ad-
13 ministration for operations and maintenance, not other-
14 wise provided for, including uniforms or allowances there-
15 for; cemeterial expenses as authorized by law; purchase
16 of one passenger motor vehicle for use in cemeterial oper-
17 ations; hire of passenger motor vehicles; and repair, alter-
18 ation or improvement of facilities under the jurisdiction
19 of the National Cemetery Administration, \$329,000,000,
20 of which not to exceed 10 percent shall remain available
21 until September 30, 2021.

1 DEPARTMENTAL ADMINISTRATION

2 GENERAL ADMINISTRATION

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary operating expenses of the Department
5 of Veterans Affairs, not otherwise provided for, including
6 administrative expenses in support of Department-wide
7 capital planning, management and policy activities, uni-
8 forms, or allowances therefor; not to exceed \$25,000 for
9 official reception and representation expenses; hire of pas-
10 senger motor vehicles; and reimbursement of the General
11 Services Administration for security guard services,
12 \$355,911,000, of which not to exceed 10 percent shall re-
13 main available until September 30, 2021: *Provided*, That
14 funds provided under this heading may be transferred to
15 “General Operating Expenses, Veterans Benefits Adminis-
16 tration”.

17 BOARD OF VETERANS APPEALS

18 For necessary operating expenses of the Board of
19 Veterans Appeals, \$182,000,000, of which not to exceed
20 10 percent shall remain available until September 30,
21 2021.

22 INFORMATION TECHNOLOGY SYSTEMS

23 (INCLUDING TRANSFER OF FUNDS)

24 For necessary expenses for information technology
25 systems and telecommunications support, including devel-

1 opmental information systems and operational information
2 systems; for pay and associated costs; and for the capital
3 asset acquisition of information technology systems, in-
4 cluding management and related contractual costs of said
5 acquisitions, including contractual costs associated with
6 operations authorized by section 3109 of title 5, United
7 States Code, \$4,371,615,000, plus reimbursements: *Pro-*
8 *vided*, That \$1,204,238,000 shall be for pay and associ-
9 ated costs, of which not to exceed 3 percent shall remain
10 available until September 30, 2021: *Provided further*, That
11 \$2,739,597,000 shall be for operations and maintenance,
12 of which not to exceed 5 percent shall remain available
13 until September 30, 2021: *Provided further*, That
14 \$427,780,000 shall be for information technology systems
15 development, and shall remain available until September
16 30, 2021: *Provided further*, That amounts made available
17 for salaries and expenses, operations and maintenance,
18 and information technology systems development may be
19 transferred among the three subaccounts after the Sec-
20 retary of Veterans Affairs requests from the Committees
21 on Appropriations of both Houses of Congress the author-
22 ity to make the transfer and an approval is issued: *Pro-*
23 *vided further*, That amounts made available for the “Infor-
24 mation Technology Systems” account for development
25 may be transferred among projects or to newly defined

1 projects: *Provided further*, That no project may be in-
2 creased or decreased by more than \$1,000,000 of cost
3 prior to submitting a request to the Committees on Appro-
4 priations of both Houses of Congress to make the transfer
5 and an approval is issued, or absent a response, a period
6 of 30 days has elapsed: *Provided further*, That the funds
7 made available under this heading for information tech-
8 nology systems development shall be for the projects, and
9 in the amounts, specified under this heading in the explan-
10 atory statement described in section 4 (in the matter pre-
11 ceding division A of this consolidated Act).

12 VETERANS ELECTRONIC HEALTH RECORD

13 For activities related to implementation, preparation,
14 development, interface, management, rollout, and mainte-
15 nance of a Veterans Electronic Health Record system, in-
16 cluding contractual costs associated with operations au-
17 thorized by section 3109 of title 5, United States Code,
18 and salaries and expenses of employees hired under titles
19 5 and 38, United States Code, \$1,500,000,000, to remain
20 available until September 30, 2022: *Provided*, That the
21 Secretary of Veterans Affairs shall submit to the Commit-
22 tees on Appropriations of both Houses of Congress quar-
23 terly reports detailing obligations, expenditures, and de-
24 ployment implementation by facility: *Provided further*,
25 That the funds provided in this account shall only be avail-

1 able to the Office of the Deputy Secretary, to be adminis-
2 tered by that Office: *Provided further*, That none of the
3 funds made available under this heading may be obligated
4 in a manner inconsistent with deployment schedules pro-
5 vided to the Committees on Appropriations unless the Sec-
6 retary of Veterans Affairs provides notification to the
7 Committees on Appropriations of such change and an ap-
8 proval is issued.

9 OFFICE OF INSPECTOR GENERAL

10 For necessary expenses of the Office of Inspector
11 General, to include information technology, in carrying out
12 the provisions of the Inspector General Act of 1978 (5
13 U.S.C. App.), \$210,000,000, of which not to exceed 10
14 percent shall remain available until September 30, 2021.

15 CONSTRUCTION, MAJOR PROJECTS

16 For constructing, altering, extending, and improving
17 any of the facilities, including parking projects, under the
18 jurisdiction or for the use of the Department of Veterans
19 Affairs, or for any of the purposes set forth in sections
20 316, 2404, 2406 and chapter 81 of title 38, United States
21 Code, not otherwise provided for, including planning, ar-
22 chitectural and engineering services, construction manage-
23 ment services, maintenance or guarantee period services
24 costs associated with equipment guarantees provided
25 under the project, services of claims analysts, offsite utility

1 and storm drainage system construction costs, and site ac-
2 quisition, where the estimated cost of a project is more
3 than the amount set forth in section 8104(a)(3)(A) of title
4 38, United States Code, or where funds for a project were
5 made available in a previous major project appropriation,
6 \$1,235,200,000, of which \$1,036,600,000 shall remain
7 available until September 30, 2024, and of which
8 \$198,600,000 shall remain available until expended, of
9 which \$35,000,000 shall be available for seismic improve-
10 ment projects and seismic program management activities,
11 including for projects that would otherwise be funded by
12 the Construction, Minor Projects, Medical Facilities or
13 National Cemetery Administration accounts: *Provided,*
14 That except for advance planning activities, including
15 needs assessments which may or may not lead to capital
16 investments, and other capital asset management related
17 activities, including portfolio development and manage-
18 ment activities, and investment strategy studies funded
19 through the advance planning fund and the planning and
20 design activities funded through the design fund, including
21 needs assessments which may or may not lead to capital
22 investments, and funds provided for the purchase, secu-
23 rity, and maintenance of land for the National Cemetery
24 Administration through the land acquisition line item,
25 none of the funds made available under this heading shall

1 be used for any project that has not been notified to Con-
2 gress through the budgetary process or that has not been
3 approved by the Congress through statute, joint resolu-
4 tion, or in the explanatory statement accompanying such
5 Act and presented to the President at the time of enroll-
6 ment: *Provided further*, That such sums as may be nec-
7 essary shall be available to reimburse the “General Admin-
8 istration” account for payment of salaries and expenses
9 of all Office of Construction and Facilities Management
10 employees to support the full range of capital infrastruc-
11 ture services provided, including minor construction and
12 leasing services: *Provided further*, That funds made avail-
13 able under this heading for fiscal year 2020, for each ap-
14 proved project shall be obligated: (1) by the awarding of
15 a construction documents contract by September 30,
16 2020; and (2) by the awarding of a construction contract
17 by September 30, 2021: *Provided further*, That the Sec-
18 retary of Veterans Affairs shall promptly submit to the
19 Committees on Appropriations of both Houses of Congress
20 a written report on any approved major construction
21 project for which obligations are not incurred within the
22 time limitations established above: *Provided further*, That
23 notwithstanding the requirements of section 8104(a) of
24 title 38, United States Code, amounts made available
25 under this heading for seismic improvement projects and

1 seismic program management activities shall be available
2 for the completion of both new and existing seismic
3 projects of the Department.

4 CONSTRUCTION, MINOR PROJECTS

5 For constructing, altering, extending, and improving
6 any of the facilities, including parking projects, under the
7 jurisdiction or for the use of the Department of Veterans
8 Affairs, including planning and assessments of needs
9 which may lead to capital investments, architectural and
10 engineering services, maintenance or guarantee period
11 services costs associated with equipment guarantees pro-
12 vided under the project, services of claims analysts, offsite
13 utility and storm drainage system construction costs, and
14 site acquisition, or for any of the purposes set forth in
15 sections 316, 2404, 2406 and chapter 81 of title 38,
16 United States Code, not otherwise provided for, where the
17 estimated cost of a project is equal to or less than the
18 amount set forth in section 8104(a)(3)(A) of title 38,
19 United States Code, \$398,800,000, to remain available
20 until September 30, 2024, along with unobligated balances
21 of previous “Construction, Minor Projects” appropriations
22 which are hereby made available for any project where the
23 estimated cost is equal to or less than the amount set forth
24 in such section: *Provided*, That funds made available
25 under this heading shall be for: (1) repairs to any of the

1 nonmedical facilities under the jurisdiction or for the use
2 of the Department which are necessary because of loss or
3 damage caused by any natural disaster or catastrophe;
4 and (2) temporary measures necessary to prevent or to
5 minimize further loss by such causes.

6 GRANTS FOR CONSTRUCTION OF
7 STATE EXTENDED CARE FACILITIES

8 For grants to assist States to acquire or construct
9 State nursing home and domiciliary facilities and to re-
10 model, modify, or alter existing hospital, nursing home,
11 and domiciliary facilities in State homes, for furnishing
12 care to veterans as authorized by sections 8131 through
13 8137 of title 38, United States Code, \$90,000,000, to re-
14 main available until expended.

15 GRANTS FOR CONSTRUCTION OF VETERANS CEMETERIES

16 For grants to assist States and tribal organizations
17 in establishing, expanding, or improving veterans ceme-
18 teries as authorized by section 2408 of title 38, United
19 States Code, \$45,000,000, to remain available until ex-
20 pended.

21 ADMINISTRATIVE PROVISIONS
22 (INCLUDING TRANSFER OF FUNDS)

23 SEC. 201. Any appropriation for fiscal year 2020 for
24 “Compensation and Pensions”, “Readjustment Benefits”,
25 and “Veterans Insurance and Indemnities” may be trans-

1 ferred as necessary to any other of the mentioned appro-
2 priations: *Provided*, That, before a transfer may take
3 place, the Secretary of Veterans Affairs shall request from
4 the Committees on Appropriations of both Houses of Con-
5 gress the authority to make the transfer and such Com-
6 mittees issue an approval, or absent a response, a period
7 of 30 days has elapsed.

8 (INCLUDING TRANSFER OF FUNDS)

9 SEC. 202. Amounts made available for the Depart-
10 ment of Veterans Affairs for fiscal year 2020, in this or
11 any other Act, under the “Medical Services”, “Medical
12 Community Care”, “Medical Support and Compliance”,
13 and “Medical Facilities” accounts may be transferred
14 among the accounts: *Provided*, That any transfers among
15 the “Medical Services”, “Medical Community Care”, and
16 “Medical Support and Compliance” accounts of 1 percent
17 or less of the total amount appropriated to the account
18 in this or any other Act may take place subject to notifica-
19 tion from the Secretary of Veterans Affairs to the Com-
20 mittees on Appropriations of both Houses of Congress of
21 the amount and purpose of the transfer: *Provided further*,
22 That any transfers among the “Medical Services”, “Med-
23 ical Community Care”, and “Medical Support and Compli-
24 ance” accounts in excess of 1 percent, or exceeding the
25 cumulative 1 percent for the fiscal year, may take place

1 only after the Secretary requests from the Committees on
2 Appropriations of both Houses of Congress the authority
3 to make the transfer and an approval is issued: *Provided*
4 *further*, That any transfers to or from the “Medical Facili-
5 ties” account may take place only after the Secretary re-
6 quests from the Committees on Appropriations of both
7 Houses of Congress the authority to make the transfer
8 and an approval is issued.

9 SEC. 203. Appropriations available in this title for
10 salaries and expenses shall be available for services au-
11 thorized by section 3109 of title 5, United States Code;
12 hire of passenger motor vehicles; lease of a facility or land
13 or both; and uniforms or allowances therefore, as author-
14 ized by sections 5901 through 5902 of title 5, United
15 States Code.

16 SEC. 204. No appropriations in this title (except the
17 appropriations for “Construction, Major Projects”, and
18 “Construction, Minor Projects”) shall be available for the
19 purchase of any site for or toward the construction of any
20 new hospital or home.

21 SEC. 205. No appropriations in this title shall be
22 available for hospitalization or examination of any persons
23 (except beneficiaries entitled to such hospitalization or ex-
24 amination under the laws providing such benefits to vet-
25 erans, and persons receiving such treatment under sec-

1 tions 7901 through 7904 of title 5, United States Code,
2 or the Robert T. Stafford Disaster Relief and Emergency
3 Assistance Act (42 U.S.C. 5121 et seq.), unless reim-
4 bursement of the cost of such hospitalization or examina-
5 tion is made to the “Medical Services” account at such
6 rates as may be fixed by the Secretary of Veterans Affairs.

7 SEC. 206. Appropriations available in this title for
8 “Compensation and Pensions”, “Readjustment Benefits”,
9 and “Veterans Insurance and Indemnities” shall be avail-
10 able for payment of prior year accrued obligations re-
11 quired to be recorded by law against the corresponding
12 prior year accounts within the last quarter of fiscal year
13 2019.

14 SEC. 207. Appropriations available in this title shall
15 be available to pay prior year obligations of corresponding
16 prior year appropriations accounts resulting from sections
17 3328(a), 3334, and 3712(a) of title 31, United States
18 Code, except that if such obligations are from trust fund
19 accounts they shall be payable only from “Compensation
20 and Pensions”.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 208. Notwithstanding any other provision of
23 law, during fiscal year 2020, the Secretary of Veterans
24 Affairs shall, from the National Service Life Insurance
25 Fund under section 1920 of title 38, United States Code,

1 the Veterans' Special Life Insurance Fund under section
2 1923 of title 38, United States Code, and the United
3 States Government Life Insurance Fund under section
4 1955 of title 38, United States Code, reimburse the "Gen-
5 eral Operating Expenses, Veterans Benefits Administra-
6 tion" and "Information Technology Systems" accounts for
7 the cost of administration of the insurance programs fi-
8 nanced through those accounts: *Provided*, That reimburse-
9 ment shall be made only from the surplus earnings accu-
10 mulated in such an insurance program during fiscal year
11 2020 that are available for dividends in that program after
12 claims have been paid and actuarially determined reserves
13 have been set aside: *Provided further*, That if the cost of
14 administration of such an insurance program exceeds the
15 amount of surplus earnings accumulated in that program,
16 reimbursement shall be made only to the extent of such
17 surplus earnings: *Provided further*, That the Secretary
18 shall determine the cost of administration for fiscal year
19 2020 which is properly allocable to the provision of each
20 such insurance program and to the provision of any total
21 disability income insurance included in that insurance pro-
22 gram.

23 SEC. 209. Amounts deducted from enhanced-use
24 lease proceeds to reimburse an account for expenses in-
25 curred by that account during a prior fiscal year for pro-

1 viding enhanced-use lease services, may be obligated dur-
2 ing the fiscal year in which the proceeds are received.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 210. Funds available in this title or funds for
5 salaries and other administrative expenses shall also be
6 available to reimburse the Office of Resolution Manage-
7 ment, the Office of Employment Discrimination Complaint
8 Adjudication, and the Office of Diversity and Inclusion for
9 all services provided at rates which will recover actual
10 costs but not to exceed \$57,263,000 for the Office of Reso-
11 lution Management, \$6,000,000 for the Office of Employ-
12 ment Discrimination Complaint Adjudication, and
13 \$4,628,000 for the Office of Diversity and Inclusion: *Pro-*
14 *vided*, That payments may be made in advance for services
15 to be furnished based on estimated costs: *Provided further*,
16 That amounts received shall be credited to the “General
17 Administration” and “Information Technology Systems”
18 accounts for use by the office that provided the service.

19 SEC. 211. No funds of the Department of Veterans
20 Affairs shall be available for hospital care, nursing home
21 care, or medical services provided to any person under
22 chapter 17 of title 38, United States Code, for a non-serv-
23 ice-connected disability described in section 1729(a)(2) of
24 such title, unless that person has disclosed to the Sec-
25 retary of Veterans Affairs, in such form as the Secretary

1 may require, current, accurate third-party reimbursement
2 information for purposes of section 1729 of such title: *Pro-*
3 *vided*, That the Secretary may recover, in the same man-
4 ner as any other debt due the United States, the reason-
5 able charges for such care or services from any person who
6 does not make such disclosure as required: *Provided fur-*
7 *ther*, That any amounts so recovered for care or services
8 provided in a prior fiscal year may be obligated by the
9 Secretary during the fiscal year in which amounts are re-
10 ceived.

11 (INCLUDING TRANSFER OF FUNDS)

12 SEC. 212. Notwithstanding any other provision of
13 law, proceeds or revenues derived from enhanced-use leas-
14 ing activities (including disposal) may be deposited into
15 the “Construction, Major Projects” and “Construction,
16 Minor Projects” accounts and be used for construction
17 (including site acquisition and disposition), alterations,
18 and improvements of any medical facility under the juris-
19 diction or for the use of the Department of Veterans Af-
20 fairs. Such sums as realized are in addition to the amount
21 provided for in “Construction, Major Projects” and “Con-
22 struction, Minor Projects”.

23 SEC. 213. Amounts made available under “Medical
24 Services” are available—

1 (1) for furnishing recreational facilities, sup-
2 plies, and equipment; and

3 (2) for funeral expenses, burial expenses, and
4 other expenses incidental to funerals and burials for
5 beneficiaries receiving care in the Department.

6 (INCLUDING TRANSFER OF FUNDS)

7 SEC. 214. Such sums as may be deposited to the
8 Medical Care Collections Fund pursuant to section 1729A
9 of title 38, United States Code, may be transferred to the
10 “Medical Services” and “Medical Community Care” ac-
11 counts to remain available until expended for the purposes
12 of these accounts.

13 SEC. 215. The Secretary of Veterans Affairs may
14 enter into agreements with Federally Qualified Health
15 Centers in the State of Alaska and Indian tribes and tribal
16 organizations which are party to the Alaska Native Health
17 Compact with the Indian Health Service, to provide
18 healthcare, including behavioral health and dental care, to
19 veterans in rural Alaska. The Secretary shall require par-
20 ticipating veterans and facilities to comply with all appro-
21 priate rules and regulations, as established by the Sec-
22 retary. The term “rural Alaska” shall mean those lands
23 which are not within the boundaries of the municipality
24 of Anchorage or the Fairbanks North Star Borough.

1 (INCLUDING TRANSFER OF FUNDS)

2 SEC. 216. Such sums as may be deposited to the De-
3 partment of Veterans Affairs Capital Asset Fund pursu-
4 ant to section 8118 of title 38, United States Code, may
5 be transferred to the “Construction, Major Projects” and
6 “Construction, Minor Projects” accounts, to remain avail-
7 able until expended for the purposes of these accounts.

8 SEC. 217. Not later than 30 days after the end of
9 each fiscal quarter, the Secretary of Veterans Affairs shall
10 submit to the Committees on Appropriations of both
11 Houses of Congress a report on the financial status of the
12 Department of Veterans Affairs for the preceding quarter:
13 *Provided*, That, at a minimum, the report shall include
14 the direction contained in the paragraph entitled “Quar-
15 terly reporting”, under the heading “General Administra-
16 tion” in the joint explanatory statement accompanying
17 Public Law 114–223.

18 (INCLUDING TRANSFER OF FUNDS)

19 SEC. 218. Amounts made available under the “Med-
20 ical Services”, “Medical Community Care”, “Medical Sup-
21 port and Compliance”, “Medical Facilities”, “General Op-
22 erating Expenses, Veterans Benefits Administration”,
23 “Board of Veterans Appeals”, “General Administration”,
24 and “National Cemetery Administration” accounts for fis-
25 cal year 2020 may be transferred to or from the “Informa-

1 tion Technology Systems” account: *Provided*, That such
2 transfers may not result in a more than 10 percent aggre-
3 gate increase in the total amount made available by this
4 Act for the “Information Technology Systems” account:
5 *Provided further*, That, before a transfer may take place,
6 the Secretary of Veterans Affairs shall request from the
7 Committees on Appropriations of both Houses of Congress
8 the authority to make the transfer and an approval is
9 issued.

10 (INCLUDING TRANSFER OF FUNDS)

11 SEC. 219. Of the amounts appropriated to the De-
12 partment of Veterans Affairs for fiscal year 2020 for
13 “Medical Services”, “Medical Community Care”, “Medical
14 Support and Compliance”, “Medical Facilities”, “Con-
15 struction, Minor Projects”, and “Information Technology
16 Systems”, up to \$314,409,000, plus reimbursements, may
17 be transferred to the Joint Department of Defense—De-
18 partment of Veterans Affairs Medical Facility Demonstra-
19 tion Fund, established by section 1704 of the National De-
20 fense Authorization Act for Fiscal Year 2010 (Public Law
21 111–84; 123 Stat. 3571) and may be used for operation
22 of the facilities designated as combined Federal medical
23 facilities as described by section 706 of the Duncan
24 Hunter National Defense Authorization Act for Fiscal
25 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*

1 *vided*, That additional funds may be transferred from ac-
2 counts designated in this section to the Joint Department
3 of Defense—Department of Veterans Affairs Medical Fa-
4 cility Demonstration Fund upon written notification by
5 the Secretary of Veterans Affairs to the Committees on
6 Appropriations of both Houses of Congress: *Provided fur-*
7 *ther*, That section 220 of title II of division C of Public
8 Law 115–244 is repealed.

9 (INCLUDING TRANSFER OF FUNDS)

10 SEC. 220. Of the amounts appropriated to the De-
11 partment of Veterans Affairs which become available on
12 October 1, 2020, for “Medical Services”, “Medical Com-
13 munity Care”, “Medical Support and Compliance”, and
14 “Medical Facilities”, up to \$322,931,000, plus reimburse-
15 ments, may be transferred to the Joint Department of De-
16 fense—Department of Veterans Affairs Medical Facility
17 Demonstration Fund, established by section 1704 of the
18 National Defense Authorization Act for Fiscal Year 2010
19 (Public Law 111–84; 123 Stat. 3571) and may be used
20 for operation of the facilities designated as combined Fed-
21 eral medical facilities as described by section 706 of the
22 Duncan Hunter National Defense Authorization Act for
23 Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4500):
24 *Provided*, That additional funds may be transferred from
25 accounts designated in this section to the Joint Depart-

1 ment of Defense—Department of Veterans Affairs Med-
2 ical Facility Demonstration Fund upon written notifica-
3 tion by the Secretary of Veterans Affairs to the Commit-
4 tees on Appropriations of both Houses of Congress.

5 (INCLUDING TRANSFER OF FUNDS)

6 SEC. 221. Such sums as may be deposited to the
7 Medical Care Collections Fund pursuant to section 1729A
8 of title 38, United States Code, for healthcare provided
9 at facilities designated as combined Federal medical facili-
10 ties as described by section 706 of the Duncan Hunter
11 National Defense Authorization Act for Fiscal Year 2009
12 (Public Law 110–417; 122 Stat. 4500) shall also be avail-
13 able: (1) for transfer to the Joint Department of De-
14 fense—Department of Veterans Affairs Medical Facility
15 Demonstration Fund, established by section 1704 of the
16 National Defense Authorization Act for Fiscal Year 2010
17 (Public Law 111–84; 123 Stat. 3571); and (2) for oper-
18 ations of the facilities designated as combined Federal
19 medical facilities as described by section 706 of the Dun-
20 can Hunter National Defense Authorization Act for Fiscal
21 Year 2009 (Public Law 110–417; 122 Stat. 4500): *Pro-*
22 *vided*, That, notwithstanding section 1704(b)(3) of the
23 National Defense Authorization Act for Fiscal Year 2010
24 (Public Law 111–84; 123 Stat. 2573), amounts trans-
25 ferred to the Joint Department of Defense—Department

1 of Veterans Affairs Medical Facility Demonstration Fund
2 shall remain available until expended.

3 (INCLUDING TRANSFER OF FUNDS)

4 SEC. 222. Of the amounts available in this title for
5 “Medical Services”, “Medical Community Care”, “Medical
6 Support and Compliance”, and “Medical Facilities”, a
7 minimum of \$15,000,000 shall be transferred to the
8 DOD–VA Health Care Sharing Incentive Fund, as au-
9 thorized by section 8111(d) of title 38, United States
10 Code, to remain available until expended, for any purpose
11 authorized by section 8111 of title 38, United States Code.

12 SEC. 223. None of the funds available to the Depart-
13 ment of Veterans Affairs, in this or any other Act, may
14 be used to replace the current system by which the Vet-
15 erans Integrated Service Networks select and contract for
16 diabetes monitoring supplies and equipment.

17 SEC. 224. The Secretary of Veterans Affairs shall no-
18 tify the Committees on Appropriations of both Houses of
19 Congress of all bid savings in a major construction project
20 that total at least \$5,000,000, or 5 percent of the pro-
21 grammed amount of the project, whichever is less: *Pro-*
22 *vided*, That such notification shall occur within 14 days
23 of a contract identifying the programmed amount: *Pro-*
24 *vided further*, That the Secretary shall notify the Commit-
25 tees on Appropriations of both Houses of Congress 14

1 days prior to the obligation of such bid savings and shall
2 describe the anticipated use of such savings.

3 SEC. 225. None of the funds made available for
4 “Construction, Major Projects” may be used for a project
5 in excess of the scope specified for that project in the origi-
6 nal justification data provided to the Congress as part of
7 the request for appropriations unless the Secretary of Vet-
8 erans Affairs receives approval from the Committees on
9 Appropriations of both Houses of Congress.

10 SEC. 226. Not later than 30 days after the end of
11 each fiscal quarter, the Secretary of Veterans Affairs shall
12 submit to the Committees on Appropriations of both
13 Houses of Congress a quarterly report containing perform-
14 ance measures and data from each Veterans Benefits Ad-
15 ministration Regional Office: *Provided*, That, at a min-
16 imum, the report shall include the direction contained in
17 the section entitled “Disability claims backlog”, under the
18 heading “General Operating Expenses, Veterans Benefits
19 Administration” in the joint explanatory statement accom-
20 panying Public Law 114–223: *Provided further*, That the
21 report shall also include information on the number of ap-
22 peals pending at the Veterans Benefits Administration as
23 well as the Board of Veterans Appeals on a quarterly
24 basis.

1 SEC. 227. The Secretary of Veterans Affairs shall
2 provide written notification to the Committees on Appro-
3 priations of both Houses of Congress 15 days prior to or-
4 ganizational changes which result in the transfer of 25 or
5 more full-time equivalents from one organizational unit of
6 the Department of Veterans Affairs to another.

7 SEC. 228. The Secretary of Veterans Affairs shall
8 provide on a quarterly basis to the Committees on Appro-
9 priations of both Houses of Congress notification of any
10 single national outreach and awareness marketing cam-
11 paign in which obligations exceed \$1,000,000.

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 229. The Secretary of Veterans Affairs, upon
14 determination that such action is necessary to address
15 needs of the Veterans Health Administration, may trans-
16 fer to the “Medical Services” account any discretionary
17 appropriations made available for fiscal year 2020 in this
18 title (except appropriations made to the “General Oper-
19 ating Expenses, Veterans Benefits Administration” ac-
20 count) or any discretionary unobligated balances within
21 the Department of Veterans Affairs, including those ap-
22 propriated for fiscal year 2020, that were provided in ad-
23 vance by appropriations Acts: *Provided*, That transfers
24 shall be made only with the approval of the Office of Man-
25 agement and Budget: *Provided further*, That the transfer

1 authority provided in this section is in addition to any
2 other transfer authority provided by law: *Provided further*,
3 That no amounts may be transferred from amounts that
4 were designated by Congress as an emergency requirement
5 pursuant to a concurrent resolution on the budget or the
6 Balanced Budget and Emergency Deficit Control Act of
7 1985: *Provided further*, That such authority to transfer
8 may not be used unless for higher priority items, based
9 on emergent healthcare requirements, than those for
10 which originally appropriated and in no case where the
11 item for which funds are requested has been denied by
12 Congress: *Provided further*, That, upon determination that
13 all or part of the funds transferred from an appropriation
14 are not necessary, such amounts may be transferred back
15 to that appropriation and shall be available for the same
16 purposes as originally appropriated: *Provided further*,
17 That before a transfer may take place, the Secretary of
18 Veterans Affairs shall request from the Committees on
19 Appropriations of both Houses of Congress the authority
20 to make the transfer and receive approval of that request.

21 (INCLUDING TRANSFER OF FUNDS)

22 SEC. 230. Amounts made available for the Depart-
23 ment of Veterans Affairs for fiscal year 2020, under the
24 “Board of Veterans Appeals” and the “General Operating
25 Expenses, Veterans Benefits Administration” accounts

1 may be transferred between such accounts: *Provided*, That
2 before a transfer may take place, the Secretary of Vet-
3 erans Affairs shall request from the Committees on Appro-
4 priations of both Houses of Congress the authority to
5 make the transfer and receive approval of that request.

6 SEC. 231. The Secretary of Veterans Affairs may not
7 reprogram funds among major construction projects or
8 programs if such instance of reprogramming will exceed
9 \$7,000,000, unless such reprogramming is approved by
10 the Committees on Appropriations of both Houses of Con-
11 gress.

12 SEC. 232. (a) The Secretary of Veterans Affairs shall
13 ensure that the toll-free suicide hotline under section
14 1720F(h) of title 38, United States Code—

15 (1) provides to individuals who contact the hot-
16 line immediate assistance from a trained profes-
17 sional; and

18 (2) adheres to all requirements of the American
19 Association of Suicidology.

20 (b)(1) None of the funds made available by this Act
21 may be used to enforce or otherwise carry out any Execu-
22 tive action that prohibits the Secretary of Veterans Affairs
23 from appointing an individual to occupy a vacant civil
24 service position, or establishing a new civil service position,
25 at the Department of Veterans Affairs with respect to

1 such a position relating to the hotline specified in sub-
2 section (a).

3 (2) In this subsection—

4 (A) the term “civil service” has the meaning
5 given such term in section 2101(1) of title 5, United
6 States Code; and

7 (B) the term “Executive action” includes—

8 (i) any Executive order, presidential memo-
9 randum, or other action by the President; and

10 (ii) any agency policy, order, or other di-
11 rective.

12 (c)(1) The Secretary of Veterans Affairs shall con-
13 duct a study on the effectiveness of the hotline specified
14 in subsection (a) during the five-year period beginning on
15 January 1, 2016, based on an analysis of national suicide
16 data and data collected from such hotline.

17 (2) At a minimum, the study required by paragraph
18 (1) shall—

19 (A) determine the number of veterans who con-
20 tact the hotline specified in subsection (a) and who
21 receive follow up services from the hotline or mental
22 health services from the Department of Veterans Af-
23 fairs thereafter;

24 (B) determine the number of veterans who con-
25 tact the hotline who are not referred to, or do not

1 continue receiving, mental health care who commit
2 suicide; and

3 (C) determine the number of veterans described
4 in subparagraph (A) who commit or attempt suicide.

5 SEC. 233. None of the funds in this or any other Act
6 may be used to close Department of Veterans Affairs (VA)
7 hospitals, domiciliaries, or clinics, conduct an environ-
8 mental assessment, or to diminish healthcare services at
9 existing Veterans Health Administration medical facilities
10 as part of a planned realignment of VA services until the
11 Secretary provides to the Committees on Appropriations
12 of both Houses of Congress a report including the fol-
13 lowing elements—

14 (1) a national realignment strategy that in-
15 cludes a detailed description of realignment plans
16 within each Veterans Integrated Services Network
17 (VISN), including an updated Long Range Capital
18 Plan to implement realignment requirements;

19 (2) an explanation of the process by which
20 those plans were developed and coordinated within
21 each VISN;

22 (3) a cost versus benefit analysis of each
23 planned realignment, including the cost of replacing
24 Veterans Health Administration services with con-
25 tract care or other outsourced services;

1 (4) an analysis of how any such planned re-
2 alignment of services will impact access to care for
3 veterans living in rural or highly rural areas, includ-
4 ing travel distances and transportation costs to ac-
5 cess a VA medical facility and availability of local
6 specialty and primary care;

7 (5) an inventory of VA buildings with historic
8 designation and the methodology used to determine
9 the buildings' condition and utilization;

10 (6) a description of how any realignment will be
11 consistent with requirements under the National
12 Historic Preservation Act; and

13 (7) consideration given for reuse of historic
14 buildings within newly identified realignment re-
15 quirements: *Provided*, That, this provision shall not
16 apply to capital projects in any VISN, which have
17 been authorized or approved by Congress.

18 SEC. 234. Effective during the period beginning on
19 October 1, 2018 and ending on January 1, 2024, none
20 of the funds made available to the Secretary of Veterans
21 Affairs by this or any other Act may be obligated or ex-
22 pended in contravention of the “Veterans Health Adminis-
23 tration Clinical Preventive Services Guidance Statement
24 on the Veterans Health Administration’s Screening for
25 Breast Cancer Guidance” published on May 10, 2017, as

1 issued by the Veterans Health Administration National
2 Center for Health Promotion and Disease Prevention.

3 SEC. 235. (a) Notwithstanding any other provision
4 of law, the amounts appropriated or otherwise made avail-
5 able to the Department of Veterans Affairs for the “Med-
6 ical Services” account may be used to provide—

7 (1) fertility counseling and treatment using as-
8 sisted reproductive technology to a covered veteran
9 or the spouse of a covered veteran; or

10 (2) adoption reimbursement to a covered vet-
11 eran.

12 (b) In this section:

13 (1) The term “service-connected” has the
14 meaning given such term in section 101 of title 38,
15 United States Code.

16 (2) The term “covered veteran” means a vet-
17 eran, as such term is defined in section 101 of title
18 38, United States Code, who has a service-connected
19 disability that results in the inability of the veteran
20 to procreate without the use of fertility treatment.

21 (3) The term “assisted reproductive tech-
22 nology” means benefits relating to reproductive as-
23 sistance provided to a member of the Armed Forces
24 who incurs a serious injury or illness on active duty
25 pursuant to section 1074(c)(4)(A) of title 10, United

1 States Code, as described in the memorandum on
2 the subject of “Policy for Assisted Reproductive
3 Services for the Benefit of Seriously or Severely Ill/
4 Injured (Category II or III) Active Duty Service
5 Members” issued by the Assistant Secretary of De-
6 fense for Health Affairs on April 3, 2012, and the
7 guidance issued to implement such policy, including
8 any limitations on the amount of such benefits avail-
9 able to such a member except that—

10 (A) the time periods regarding embryo
11 cryopreservation and storage set forth in part
12 III(G) and in part IV(H) of such memorandum
13 shall not apply; and

14 (B) such term includes embryo
15 cryopreservation and storage without limitation
16 on the duration of such cryopreservation and
17 storage.

18 (4) The term “adoption reimbursement” means
19 reimbursement for the adoption-related expenses for
20 an adoption that is finalized after the date of the en-
21 actment of this Act under the same terms as apply
22 under the adoption reimbursement program of the
23 Department of Defense, as authorized in Depart-
24 ment of Defense Instruction 1341.09, including the

1 reimbursement limits and requirements set forth in
2 such instruction.

3 (c) Amounts made available for the purposes speci-
4 fied in subsection (a) of this section are subject to the
5 requirements for funds contained in section 508 of division
6 H of the Consolidated Appropriations Act, 2018 (Public
7 Law 115–141).

8 SEC. 236. None of the funds appropriated or other-
9 wise made available by this Act or any other Act for the
10 Department of Veterans Affairs may be used in a manner
11 that is inconsistent with: (1) section 842 of the Transpor-
12 tation, Treasury, Housing and Urban Development, the
13 Judiciary, the District of Columbia, and Independent
14 Agencies Appropriations Act, 2006 (Public Law 109–115;
15 119 Stat. 2506); or (2) section 8110(a)(5) of title 38,
16 United States Code.

17 SEC. 237. Section 842 of Public Law 109–115 shall
18 not apply to conversion of an activity or function of the
19 Veterans Health Administration, Veterans Benefits Ad-
20 ministration, or National Cemetery Administration to con-
21 tractor performance by a business concern that is at least
22 51 percent owned by one or more Indian tribes as defined
23 in section 5304(e) of title 25, United States Code, or one
24 or more Native Hawaiian Organizations as defined in sec-
25 tion 637(a)(15) of title 15, United States Code.

1 SEC. 238. (a) Except as provided in subsection (b),
2 the Secretary of Veterans Affairs, in consultation with the
3 Secretary of Defense and the Secretary of Labor, shall dis-
4 continue using Social Security account numbers to identify
5 individuals in all information systems of the Department
6 of Veterans Affairs as follows:

7 (1) For all veterans submitting to the Secretary
8 of Veterans Affairs new claims for benefits under
9 laws administered by the Secretary, not later than 5
10 years after the date of the enactment of this Act.

11 (2) For all individuals not described in para-
12 graph (1), not later than 8 years after the date of
13 the enactment of this Act.

14 (b) The Secretary of Veterans Affairs may use a So-
15 cial Security account number to identify an individual in
16 an information system of the Department of Veterans Af-
17 fairs if and only if the use of such number is required
18 to obtain information the Secretary requires from an in-
19 formation system that is not under the jurisdiction of the
20 Secretary.

21 SEC. 239. For funds provided to the Department of
22 Veterans Affairs for each of fiscal year 2020 and 2021
23 for “Medical Services”, section 239 of Division A of Public
24 Law 114–223 shall apply.

1 SEC. 240. None of the funds appropriated in this or
2 prior appropriations Acts or otherwise made available to
3 the Department of Veterans Affairs may be used to trans-
4 fer any amounts from the Filipino Veterans Equity Com-
5 pensation Fund to any other account within the Depart-
6 ment of Veterans Affairs.

7 SEC. 241. Of the funds provided to the Department
8 of Veterans Affairs for each of fiscal year 2020 and fiscal
9 year 2021 for “Medical Services”, funds may be used in
10 each year to carry out and expand the child care program
11 authorized by section 205 of Public Law 111–163, not-
12 withstanding subsection (e) of such section.

13 SEC. 242. None of the funds appropriated or other-
14 wise made available in this title may be used by the Sec-
15 retary of Veterans Affairs to enter into an agreement re-
16 lated to resolving a dispute or claim with an individual
17 that would restrict in any way the individual from speak-
18 ing to members of Congress or their staff on any topic
19 not otherwise prohibited from disclosure by Federal law
20 or required by Executive Order to be kept secret in the
21 interest of national defense or the conduct of foreign af-
22 fairs.

23 SEC. 243. For funds provided to the Department of
24 Veterans Affairs for each of fiscal year 2020 and 2021,

1 section 258 of Division A of Public Law 114–223 shall
2 apply.

3 SEC. 244. (a) None of the funds appropriated or oth-
4 erwise made available by this Act may be used to deny
5 an Inspector General funded under this Act timely access
6 to any records, documents, or other materials available to
7 the department or agency of the United States Govern-
8 ment over which such Inspector General has responsibil-
9 ities under the Inspector General Act of 1978 (5 U.S.C.
10 App.), or to prevent or impede the access of such Inspector
11 General to such records, documents, or other materials,
12 under any provision of law, except a provision of law that
13 expressly refers to such Inspector General and expressly
14 limits the right of access of such Inspector General.

15 (b) A department or agency covered by this section
16 shall provide its Inspector General access to all records,
17 documents, and other materials in a timely manner.

18 (c) Each Inspector General covered by this section
19 shall ensure compliance with statutory limitations on dis-
20 closure relevant to the information provided by the depart-
21 ment or agency over which that Inspector General has re-
22 sponsibilities under the Inspector General Act of 1978 (5
23 U.S.C. App.).

24 (d) Each Inspector General covered by this section
25 shall report to the Committee on Appropriations of the

1 Senate and the Committee on Appropriations of the House
2 of Representatives within 5 calendar days of any failure
3 by any department or agency covered by this section to
4 comply with this section.

5 SEC. 245. For funds provided to the Department of
6 Veterans Affairs for each of fiscal year 2020 and 2021,
7 section 248 of Division A of Public Law 114–223 shall
8 apply.

9 SEC. 246. (a) The Secretary of Veterans Affairs may
10 use amounts appropriated or otherwise made available in
11 this title to ensure that the ratio of veterans to full-time
12 employment equivalents within any program of rehabilita-
13 tion conducted under chapter 31 of title 38, United States
14 Code, does not exceed 125 veterans to one full-time em-
15 ployment equivalent.

16 (b) Not later than 180 days after the date of the en-
17 actment of this Act, the Secretary shall submit to Con-
18 gress a report on the programs of rehabilitation conducted
19 under chapter 31 of title 38, United States Code, includ-
20 ing—

21 (1) an assessment of the veteran-to-staff ratio
22 for each such program; and

23 (2) recommendations for such action as the
24 Secretary considers necessary to reduce the veteran-
25 to-staff ratio for each such program.

1 SEC. 247. None of the funds made available in this
2 Act may be used in a manner that would increase wait
3 times for veterans who seek care at medical facilities of
4 the Department of Veterans Affairs.

5 SEC. 248. None of the funds appropriated or other-
6 wise made available by this Act to the Veterans Health
7 Administration may be used in fiscal year 2020 to convert
8 any program which received specific purpose funds in fis-
9 cal year 2019 to a general purpose funded program unless
10 the Secretary of Veterans Affairs submits written notifica-
11 tion of any such proposal to the Committees on Appropria-
12 tions of both Houses of Congress at least thirty days prior
13 to any such action and an approval is issued by the Com-
14 mittees.

15 SEC. 249. (a) None of the funds appropriated or oth-
16 erwise made available by this Act may be used to conduct
17 research commencing on or after October 1, 2019, that
18 uses any canine, feline, or non-human primate unless the
19 Secretary of Veterans Affairs approves such research spe-
20 cifically and in writing pursuant to subsection (b).

21 (b)(1) The Secretary of Veterans Affairs may approve
22 the conduct of research commencing on or after October
23 1, 2019, using canines, felines, or non-human primates if
24 the Secretary determines that—

1 (A) the scientific objectives of the research can
2 only be met by using such canines, felines, or non-
3 human primates;

4 (B) such scientific objectives are directly related
5 to an illness or injury that is combat-related; and

6 (C) the research is consistent with the revised
7 Department of Veterans Affairs canine research poli-
8 cy document dated December 15, 2017, including
9 any subsequent revisions to such document.

10 (2) The Secretary may not delegate the authority
11 under this subsection.

12 (c) If the Secretary approves any new research pursu-
13 ant to subsection (b), not later than 30 days before the
14 commencement of such research, the Secretary shall sub-
15 mit to the Committees on Appropriations of the Senate
16 and House of Representatives a report describing—

17 (1) the nature of the research to be conducted
18 using canines, felines, or non-human primates;

19 (2) the date on which the Secretary approved
20 the research;

21 (3) the justification for the determination of the
22 Secretary that the scientific objectives of such re-
23 search could only be met using canines, felines, or
24 non-human primates;

1 (4) the frequency and duration of such re-
2 search; and

3 (5) the protocols in place to ensure the neces-
4 sity, safety, and efficacy of the research; and

5 (d) Not later than 180 days after the date of the en-
6 actment of this Act, and biannually thereafter, the Sec-
7 retary shall submit to such Committees a report describ-
8 ing—

9 (1) any research being conducted by the De-
10 partment of Veterans Affairs using canines, felines,
11 or non-human primates as of the date of the sub-
12 mittal of the report;

13 (2) the circumstances under which such re-
14 search was conducted using canines, felines, or non-
15 human primates;

16 (3) the justification for using canines, felines,
17 or non-human primates to conduct such research;
18 and

19 (4) the protocols in place to ensure the neces-
20 sity, safety, and efficacy of such research.

21 (e) Not later than December 31, 2020, the Secretary
22 shall submit to such Committees a plan under which the
23 Secretary will eliminate or reduce the research conducted
24 using canines, felines, or non-human primates by not later
25 than five years after the date of the enactment of this Act.

1 SEC. 250. None of the funds made available by this
2 Act may be used by the Secretary of Veterans Affairs to
3 close the community based outpatient clinic located in
4 Bainbridge, New York, until the Secretary of Veterans Af-
5 fairs submits to the Committees on Appropriations of the
6 House of Representatives and the Senate a market area
7 assessment.

8 SEC. 251. (a) PLAN REQUIRED.—Not later than 90
9 days after the date of the enactment of this Act, the Sec-
10 retary of Veterans Affairs shall submit to the appropriate
11 committees of Congress a plan to reduce the chances that
12 clinical mistakes by employees of the Department of Vet-
13 erans Affairs will result in adverse events that require in-
14 stitutional or clinical disclosures and to prevent any un-
15 necessary hardship for patients and families impacted by
16 such adverse events.

17 (b) ELEMENTS.—The plan required by subsection (a)
18 shall include the following:

19 (1) A description of a process for the timely
20 identification of individuals impacted by disclosures
21 described in subsection (a) and the process for con-
22 tacting those individuals or their next of kin.

23 (2) A description of procedures for expediting
24 any remedial or follow-up care required for those in-
25 dividuals.

1 (3) A detailed outline of proposed changes to
2 the process of the Department for clinical quality
3 checks and oversight.

4 (4) A communication plan to ensure all facili-
5 ties of the Department are made aware of any re-
6 quirements updated pursuant to the plan.

7 (5) A timeline detailing the implementation of
8 the plan.

9 (6) An identification of the senior executive of
10 the Department responsible for ensuring compliance
11 with the plan.

12 (7) An identification of potential impacts of the
13 plan on timely diagnoses for patients.

14 (8) An identification of the processes and proce-
15 dures for employees of the Department to make
16 leadership at the facility and the Department aware
17 of adverse events that are concerning and that result
18 in disclosures and to ensure that the medical impact
19 on veterans of such disclosures is minimized.

20 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
21 FINED.—In this section, the term “appropriate commit-
22 tees of Congress” means—

23 (1) the Committee on Veterans’ Affairs and the
24 Subcommittee on Military Construction, Veterans

1 Affairs, and Related Agencies of the Committee on
2 Appropriations of the Senate; and

3 (2) the Committee on Veterans' Affairs and the
4 Subcommittee on Military Construction, Veterans
5 Affairs, and Related Agencies of the Committee on
6 Appropriations of the House of Representatives.

7 SEC. 252. (a) Not later than 180 days after the date
8 of the enactment of this Act, and not less frequently than
9 once every five-year period thereafter, the Secretary of
10 Veterans Affairs shall update the handbook of the Depart-
11 ment of Veterans Affairs titled "Planning and Activating
12 Community Based Outpatient Clinics", or a successor
13 handbook, to reflect current policies, best practices, and
14 clarify the roles and responsibilities of the personnel of
15 the Department involved in the leasing projects of the De-
16 partment.

17 (b) The Secretary shall ensure that the handbook
18 specified in subsection (a) defines "community based out-
19 patient clinic" in the same manner as such term is defined
20 in the Veterans Health Administration Site Tracking
21 database (commonly known as "VAST") as of the date
22 of the enactment of this Act.

23 (c) The Secretary shall ensure that the Veterans
24 Health Administration incorporates the best practices con-
25 tained in the handbook specified in subsection (a) in con-

1 ducting oversight of the medical centers of the Depart-
2 ment of Veterans Affairs and the Veterans Integrated
3 Service Network.

4 (d) Not later than 180 days after the date of the en-
5 actment of this Act, the Secretary shall provide guidance
6 and training to employees of the Veterans Health Admin-
7 istration for the use of the handbook specified in sub-
8 section (a). The Secretary shall update such guidance and
9 training together with each update of such handbook.

10 (RESCISSIONS OF FUNDS)

11 SEC. 253. Of the unobligated balances available to
12 the Department of Veterans Affairs from prior appropria-
13 tions Acts, the following funds are hereby rescinded from
14 the following accounts in the amounts specified:

15 “Veterans Health Administration, Medical
16 Services”, \$350,000,000;

17 “Veterans Health Administration, Medical Sup-
18 port and Compliance”, \$10,000,000;

19 “Veterans Health Administration, Medical and
20 Prosthetic Research”, \$50,000,000;

21 “Veterans Health Administration, DOD-VA
22 Health Care Sharing Incentive Fund”, \$15,949,000;

23 “National Cemetery Administration”,
24 \$1,000,000;

1 to section 251(b)(2)(A) of the Balanced Budget and
2 Emergency Deficit Control Act of 1985 are designated by
3 the Congress as an emergency requirement pursuant to
4 section 251(b)(2)(A)(i) of that Act:

5 (1) funds subject to subsequent enactment and
6 transferred pursuant to chapter 13 of division B of
7 Public Law 107–117; and

8 (2) funds made available and subsequently
9 transferred pursuant to the first proviso under the
10 heading “Executive Office of the President and
11 Funds Appropriated to the President—Emergency
12 Response Fund”.

13 SEC. 256. Amounts made available for the “Veterans
14 Health Administration, Medical Community Care” ac-
15 count in this or any other Act for fiscal years 2020 and
16 2021 may be used for expenses that would otherwise be
17 payable from the Veterans Choice Fund established by
18 section 802 of the Veterans Access, Choice, and Account-
19 ability Act, as amended (38 U.S.C. 1701 note).

20 SEC. 257. Hereafter, the matter preceding the first
21 proviso under the heading “Veterans Health Administra-
22 tion, Medical Services” in title II of division C of Public
23 Law 115–244 shall be applied for the purpose of the ap-
24 propriations under that heading that became available on

1 October 1, 2019, by striking “aid to State homes as au-
2 thorized by section 1741 of title 38, United States Code,”.

1 TITLE III
2 RELATED AGENCIES
3 AMERICAN BATTLE MONUMENTS COMMISSION
4 SALARIES AND EXPENSES

5 For necessary expenses, not otherwise provided for,
6 of the American Battle Monuments Commission, including
7 the acquisition of land or interest in land in foreign coun-
8 tries; purchases and repair of uniforms for caretakers of
9 national cemeteries and monuments outside of the United
10 States and its territories and possessions; rent of office
11 and garage space in foreign countries; purchase (one-for-
12 one replacement basis only) and hire of passenger motor
13 vehicles; not to exceed \$15,000 for official reception and
14 representation expenses; and insurance of official motor
15 vehicles in foreign countries, when required by law of such
16 countries, \$84,100,000, to remain available until ex-
17 pended.

18 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

19 For necessary expenses, not otherwise provided for,
20 of the American Battle Monuments Commission, such
21 sums as may be necessary, to remain available until ex-
22 pended, for purposes authorized by section 2109 of title
23 36, United States Code.

1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the
5 United States Court of Appeals for Veterans Claims as
6 authorized by sections 7251 through 7298 of title 38,
7 United States Code, \$35,400,000: *Provided*, That
8 \$2,698,997 shall be available for the purpose of providing
9 financial assistance as described and in accordance with
10 the process and reporting procedures set forth under this
11 heading in Public Law 102–229.

12 DEPARTMENT OF DEFENSE—CIVIL

13 CEMETERIAL EXPENSES, ARMY

14 SALARIES AND EXPENSES

15 For necessary expenses for maintenance, operation,
16 and improvement of Arlington National Cemetery and Sol-
17 diers' and Airmen's Home National Cemetery, including
18 the purchase or lease of passenger motor vehicles for re-
19 placement on a one-for-one basis only, and not to exceed
20 \$2,000 for official reception and representation expenses,
21 \$80,800,000, of which not to exceed \$15,000,000 shall re-
22 main available until September 30, 2022. In addition,
23 such sums as may be necessary for parking maintenance,
24 repairs and replacement, to be derived from the "Lease

1 of Department of Defense Real Property for Defense
2 Agencies’’ account.

3 ARMED FORCES RETIREMENT HOME

4 TRUST FUND

5 For expenses necessary for the Armed Forces Retire-
6 ment Home to operate and maintain the Armed Forces
7 Retirement Home—Washington, District of Columbia,
8 and the Armed Forces Retirement Home—Gulfport, Mis-
9 sissippi, to be paid from funds available in the Armed
10 Forces Retirement Home Trust Fund, \$75,300,000, of
11 which \$12,000,000 shall remain available until expended
12 for construction and renovation of the physical plants at
13 the Armed Forces Retirement Home—Washington, Dis-
14 trict of Columbia, and the Armed Forces Retirement
15 Home—Gulfport, Mississippi: *Provided*, That of the
16 amounts made available under this heading from funds
17 available in the Armed Forces Retirement Home Trust
18 Fund, \$22,000,000 shall be paid from the general fund
19 of the Treasury to the Trust Fund.

20 ADMINISTRATIVE PROVISION

21 SEC. 301. Amounts deposited into the special account
22 established under 10 U.S.C. 4727 are appropriated and
23 shall be available until expended to support activities at
24 the Army National Military Cemeteries.

1 TITLE IV
2 OVERSEAS CONTINGENCY OPERATIONS
3 DEPARTMENT OF DEFENSE
4 MILITARY CONSTRUCTION, ARMY

5 For an additional amount for “Military Construction,
6 Army”, \$111,968,000, to remain available until Sep-
7 tember 30, 2024, for projects outside of the United States:
8 *Provided*, That such amount is designated by the Congress
9 for Overseas Contingency Operations/Global War on Ter-
10 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
11 anced Budget and Emergency Deficit Control Act of 1985.

12 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

13 For an additional amount for “Military Construction,
14 Navy and Marine Corps”, \$94,570,000, to remain avail-
15 able until September 30, 2024, for projects outside of the
16 United States: *Provided*, That such amount is designated
17 by the Congress for Overseas Contingency Operations/
18 Global War on Terrorism pursuant to section
19 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
20 Deficit Control Act of 1985.

21 MILITARY CONSTRUCTION, AIR FORCE

22 For an additional amount for “Military Construction,
23 Air Force” \$391,988,000, to remain available until Sep-
24 tember 30, 2024, for projects outside of the United States:
25 *Provided*, That such amount is designated by the Congress

1 for Overseas Contingency Operations/Global War on Ter-
2 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 MILITARY CONSTRUCTION, DEFENSE-WIDE

5 For an additional amount for “Military Construction,
6 Defense-Wide”, \$46,000,000, to remain available until
7 September 30, 2024, for projects outside of the United
8 States: *Provided*, That such amount is designated by the
9 Congress for Overseas Contingency Operations/Global
10 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
11 the Balanced Budget and Emergency Deficit Control Act
12 of 1985.

13 ADMINISTRATIVE PROVISION

14 SEC. 401. None of the funds appropriated for mili-
15 tary construction projects outside the United States under
16 this title may be obligated or expended for planning and
17 design of any project associated with the European Deter-
18 rence Initiative until the Secretary of Defense develops
19 and submits to the congressional defense committees, in
20 a classified and unclassified format, a list of all of the mili-
21 tary construction projects associated with the European
22 Deterrence Initiative which the Secretary anticipates will
23 be carried out during each of the fiscal years 2021
24 through 2025.

1 TITLE V
2 NATURAL DISASTER RELIEF
3 DEPARTMENT OF DEFENSE

4 MILITARY CONSTRUCTION, NAVY AND MARINE CORPS
5 For an additional amount for “Military Construction,
6 Navy and Marine Corps”, \$3,477,000,000, to remain
7 available until September 30, 2024, for necessary expenses
8 related to the consequences of Hurricanes Michael and
9 Florence and flooding and earthquakes occurring in fiscal
10 year 2019: *Provided*, That none of the funds made avail-
11 able in this Act to the Navy and Marine Corps for such
12 recovery efforts shall be available for obligation until the
13 Committees on Appropriations of the House of Represent-
14 atives and the Senate receive form 1391 for each specific
15 request: *Provided further*, That, not later than 60 days
16 after enactment of this Act, the Secretary of the Navy,
17 or his designee, shall submit to the Committees on Appro-
18 priations of the House of Representatives and the Senate
19 a detailed expenditure plan for funds provided under this
20 heading in this title: *Provided further*, That such funds
21 may be obligated or expended for planning and design and
22 military construction projects not otherwise authorized by
23 law: *Provided further*, That such amount is designated by
24 the Congress as being for an emergency requirement pur-

1 suant to section 251(b)(2)(A)(i) of the Balanced Budget
2 and Emergency Deficit Control Act of 1985.

3 MILITARY CONSTRUCTION, AIR FORCE

4 For an additional amount for “Military Construction,
5 Air Force”, \$2,605,200,000, to remain available until
6 September 30, 2024, for necessary expenses related to the
7 consequences of Hurricanes Michael and Florence and
8 flooding and earthquakes occurring in fiscal year 2019:
9 *Provided*, That none of the funds made available in this
10 Act to the Air Force for such recovery efforts shall be
11 available for obligation until the Committees on Appro-
12 priations of the House of Representatives and the Senate
13 receive form 1391 for each specific request: *Provided fur-*
14 *ther*, That, not later than 60 days after enactment of this
15 Act, the Secretary of the Air Force, or his designee, shall
16 submit to the Committees on Appropriations of the House
17 of Representatives and the Senate a detailed expenditure
18 plan for funds provided under this heading in this title:
19 *Provided further*, That such funds may be obligated or ex-
20 pended for planning and design and military construction
21 projects not otherwise authorized by law: *Provided further*,
22 That such amount is designated by the Congress as being
23 for an emergency requirement pursuant to section
24 251(b)(2)(A)(i) of the Balanced Budget and Emergency
25 Deficit Control Act of 1985.

1 MILITARY CONSTRUCTION, DEFENSE-WIDE

2 For an additional amount for “Military Construction,
3 Defense-Wide”, \$77,175,000, to remain available until
4 September 30, 2024, for necessary expenses related to the
5 consequences of Hurricanes Michael and Florence and
6 flooding and earthquakes occurring in fiscal year 2019:
7 *Provided*, That none of the funds made available in this
8 Act to the Department of Defense for such recovery ef-
9 forts shall be available for obligation until the Committees
10 on Appropriations of the House of Representatives and the
11 Senate receive form 1391 for each specific request: *Pro-*
12 *vided further*, That, not later than 60 days after enact-
13 ment of this Act, the Secretary of Defense, or his designee,
14 shall submit to the Committees on Appropriations of the
15 House of Representatives and the Senate a detailed ex-
16 penditure plan for funds provided under this heading in
17 this title: *Provided further*, That such funds may be obli-
18 gated or expended for planning and design and military
19 construction projects not otherwise authorized by law:
20 *Provided further*, That such amount is designated by the
21 Congress as being for an emergency requirement pursuant
22 to section 251(b)(2)(A)(i) of the Balanced Budget and
23 Emergency Deficit Control Act of 1985.

1 MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

2 For an additional amount for “Military Construction,
3 Army National Guard”, \$66,000,000, to remain available
4 until September 30, 2024, for necessary expenses related
5 to the consequences of Hurricanes Michael and Florence
6 and flooding, tornadoes, and earthquakes occurring in fis-
7 cal year 2019: *Provided*, That none of the funds made
8 available in this Act to the Army National Guard for such
9 recovery efforts shall be available for obligation until the
10 Committees on Appropriations of the House of Represent-
11 atives and the Senate receive form 1391 for each specific
12 request: *Provided further*, That, not later than 60 days
13 after enactment of this Act, the Director of the Army Na-
14 tional Guard, or his designee, shall submit to the Commit-
15 tees on Appropriations of the House of Representatives
16 and the Senate a detailed expenditure plan for funds pro-
17 vided under this heading in this title: *Provided further*,
18 That such funds may be obligated or expended for plan-
19 ning and design and military construction projects not
20 otherwise authorized by law: *Provided further*, That such
21 amount is designated by the Congress as being for an
22 emergency requirement pursuant to section
23 251(b)(2)(A)(i) of the Balanced Budget and Emergency
24 Deficit Control Act of 1985.

1 MILITARY CONSTRUCTION, ARMY RESERVE

2 For an additional amount for “Military Construction,
3 Army Reserve”, \$3,300,000, to remain available until Sep-
4 tember 30, 2024, for necessary expenses related to the
5 consequences of Hurricanes Michael and Florence and
6 flooding and earthquakes occurring in fiscal year 2019:
7 *Provided*, That none of the funds made available in this
8 Act to the Army Reserve for such recovery efforts shall
9 be available for obligation until the Committees on Appro-
10 priations of the House of Representatives and the Senate
11 receive form 1391 for each specific request: *Provided fur-*
12 *ther*, That, not later than 60 days after enactment of this
13 Act, the Secretary of the Army, or his designee, shall sub-
14 mit to the Committees on Appropriations of the House
15 of Representatives and the Senate a detailed expenditure
16 plan for funds provided under this heading in this title:
17 *Provided further*, That such funds may be obligated or ex-
18 pended for planning and design and military construction
19 projects not otherwise authorized by law: *Provided further*,
20 That such amount is designated by the Congress as being
21 for an emergency requirement pursuant to section
22 251(b)(2)(A)(i) of the Balanced Budget and Emergency
23 Deficit Control Act of 1985.

1 ADMINISTRATIVE PROVISION

2 SEC. 501. Notwithstanding any other provision of
3 law, funds made available under each heading in this title
4 shall only be used for the purposes specifically described
5 under that heading.

1

TITLE VI

2

GENERAL PROVISIONS

3

SEC. 601. No part of any appropriation contained in
4 this Act shall remain available for obligation beyond the
5 current fiscal year unless expressly so provided herein.

6

SEC. 602. None of the funds made available in this
7 Act may be used for any program, project, or activity,
8 when it is made known to the Federal entity or official
9 to which the funds are made available that the program,
10 project, or activity is not in compliance with any Federal
11 law relating to risk assessment, the protection of private
12 property rights, or unfunded mandates.

13

SEC. 603. All departments and agencies funded under
14 this Act are encouraged, within the limits of the existing
15 statutory authorities and funding, to expand their use of
16 “E-Commerce” technologies and procedures in the con-
17 duct of their business practices and public service activi-
18 ties.

19

SEC. 604. Unless stated otherwise, all reports and no-
20 tifications required by this Act shall be submitted to the
21 Subcommittee on Military Construction and Veterans Af-
22 fairs, and Related Agencies of the Committee on Appro-
23 priations of the House of Representatives and the Sub-
24 committee on Military Construction and Veterans Affairs,

1 and Related Agencies of the Committee on Appropriations
2 of the Senate.

3 SEC. 605. None of the funds made available in this
4 Act may be transferred to any department, agency, or in-
5 strumentality of the United States Government except
6 pursuant to a transfer made by, or transfer authority pro-
7 vided in, this or any other appropriations Act.

8 SEC. 606. None of the funds made available in this
9 Act may be used for a project or program named for an
10 individual serving as a Member, Delegate, or Resident
11 Commissioner of the United States House of Representa-
12 tives.

13 SEC. 607. (a) Any agency receiving funds made avail-
14 able in this Act, shall, subject to subsections (b) and (c),
15 post on the public Web site of that agency any report re-
16 quired to be submitted by the Congress in this or any
17 other Act, upon the determination by the head of the agen-
18 cy that it shall serve the national interest.

19 (b) Subsection (a) shall not apply to a report if—

20 (1) the public posting of the report com-
21 promises national security; or

22 (2) the report contains confidential or propri-
23 etary information.

24 (c) The head of the agency posting such report shall
25 do so only after such report has been made available to

1 the requesting Committee or Committees of Congress for
2 no less than 45 days.

3 SEC. 608. (a) None of the funds made available in
4 this Act may be used to maintain or establish a computer
5 network unless such network blocks the viewing,
6 downloading, and exchanging of pornography.

7 (b) Nothing in subsection (a) shall limit the use of
8 funds necessary for any Federal, State, tribal, or local law
9 enforcement agency or any other entity carrying out crimi-
10 nal investigations, prosecution, or adjudication activities.

11 SEC. 609. None of the funds made available in this
12 Act may be used by an agency of the executive branch
13 to pay for first-class travel by an employee of the agency
14 in contravention of sections 301–10.122 through 301–
15 10.124 of title 41, Code of Federal Regulations.

16 SEC. 610. None of the funds made available in this
17 Act may be used to execute a contract for goods or serv-
18 ices, including construction services, where the contractor
19 has not complied with Executive Order No. 12989.

20 SEC. 611. None of the funds made available by this
21 Act may be used by the Department of Defense or the
22 Department of Veterans Affairs to lease or purchase new
23 light duty vehicles for any executive fleet, or for an agen-
24 cy's fleet inventory, except in accordance with Presidential

1 Memorandum—Federal Fleet Performance, dated May
2 24, 2011.

3 SEC. 612. Except as expressly provided otherwise,
4 any reference to “this Act” contained in this division shall
5 be treated as referring only to the provisions of this divi-
6 sion.

7 SEC. 613. None of the funds made available by this
8 Act may be used in contravention of section 101(e)(8) of
9 title 10, United States Code.

10 SEC. 614. (a) IN GENERAL.—None of the funds ap-
11 propriated or otherwise made available to the Department
12 of Defense in this Act may be used to construct, renovate,
13 or expand any facility in the United States, its territories,
14 or possessions to house any individual detained at United
15 States Naval Station, Guantánamo Bay, Cuba, for the
16 purposes of detention or imprisonment in the custody or
17 under the control of the Department of Defense.

18 (b) The prohibition in subsection (a) shall not apply
19 to any modification of facilities at United States Naval
20 Station, Guantánamo Bay, Cuba.

21 (c) An individual described in this subsection is any
22 individual who, as of June 24, 2009, is located at United
23 States Naval Station, Guantánamo Bay, Cuba, and who—

1 (1) is not a citizen of the United States or a
2 member of the Armed Forces of the United States;
3 and

4 (2) is—

5 (A) in the custody or under the effective
6 control of the Department of Defense; or

7 (B) otherwise under detention at United
8 States Naval Station, Guantánamo Bay, Cuba.

9 This division may be cited as the “Military Construc-
10 tion, Veterans Affairs, and Related Agencies Appropria-
11 tions Act, 2020”.

1 **DIVISION G—DEPARTMENT OF STATE,**
2 **FOREIGN OPERATIONS, AND RELATED**
3 **PROGRAMS APPROPRIATIONS ACT,**
4 **2020**

5 TITLE I

6 DEPARTMENT OF STATE AND RELATED

7 AGENCY

8 DEPARTMENT OF STATE

9 ADMINISTRATION OF FOREIGN AFFAIRS

10 DIPLOMATIC PROGRAMS

11 For necessary expenses of the Department of State
12 and the Foreign Service not otherwise provided for,
13 \$9,125,687,000, of which \$754,468,000 may remain avail-
14 able until September 30, 2021, and of which up to
15 \$4,095,899,000 may remain available until expended for
16 Worldwide Security Protection: *Provided*, That of the
17 amount made available under this heading for Worldwide
18 Security Protection, \$2,626,122,000 is designated by the
19 Congress for Overseas Contingency Operations/Global
20 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
21 the Balanced Budget and Emergency Deficit Control Act
22 of 1985: *Provided further*, That funds made available
23 under this heading shall be allocated in accordance with
24 paragraphs (1) through (4) as follows:

1 (1) HUMAN RESOURCES.—For necessary ex-
2 penses for training, human resources management,
3 and salaries, including employment without regard
4 to civil service and classification laws of persons on
5 a temporary basis (not to exceed \$700,000), as au-
6 thorized by section 801 of the United States Infor-
7 mation and Educational Exchange Act of 1948 (62
8 Stat. 11; Chapter 36), \$2,896,063,000, of which up
9 to \$509,782,000 is for Worldwide Security Protec-
10 tion.

11 (2) OVERSEAS PROGRAMS.—For necessary ex-
12 penses for the regional bureaus of the Department
13 of State and overseas activities as authorized by law,
14 \$1,840,143,000.

15 (3) DIPLOMATIC POLICY AND SUPPORT.—For
16 necessary expenses for the functional bureaus of the
17 Department of State, including representation to
18 certain international organizations in which the
19 United States participates pursuant to treaties rati-
20 fied pursuant to the advice and consent of the Sen-
21 ate or specific Acts of Congress, general administra-
22 tion, and arms control, nonproliferation, and disar-
23 mament activities as authorized, \$780,057,000.

24 (4) SECURITY PROGRAMS.—For necessary ex-
25 penses for security activities, \$3,609,424,000, of

1 which up to \$3,586,117,000 is for Worldwide Secu-
2 rity Protection.

3 (5) FEES AND PAYMENTS COLLECTED.—In ad-
4 dition to amounts otherwise made available under
5 this heading—

6 (A) as authorized by section 810 of the
7 United States Information and Educational Ex-
8 change Act, not to exceed \$5,000,000, to re-
9 main available until expended, may be credited
10 to this appropriation from fees or other pay-
11 ments received from English teaching, library,
12 motion pictures, and publication programs and
13 from fees from educational advising and coun-
14 seling and exchange visitor programs; and

15 (B) not to exceed \$15,000, which shall be
16 derived from reimbursements, surcharges, and
17 fees for use of Blair House facilities.

18 (6) TRANSFER OF FUNDS, REPROGRAMMING,
19 AND OTHER MATTERS.—

20 (A) Notwithstanding any other provision of
21 this Act, funds may be reprogrammed within
22 and between paragraphs (1) through (4) under
23 this heading subject to section 7015 of this Act.

24 (B) Of the amount made available under
25 this heading, not to exceed \$10,000,000 may be

1 transferred to, and merged with, funds made
2 available by this Act under the heading “Emer-
3 gencies in the Diplomatic and Consular Serv-
4 ice”, to be available only for emergency evacu-
5 ations and rewards, as authorized.

6 (C) Funds appropriated under this heading
7 are available for acquisition by exchange or pur-
8 chase of passenger motor vehicles as authorized
9 by law and, pursuant to section 1108(g) of title
10 31, United States Code, for the field examina-
11 tion of programs and activities in the United
12 States funded from any account contained in
13 this title.

14 (7) CLARIFICATION.—References to the “Diplo-
15 matic and Consular Programs” account in any pro-
16 vision of law shall in this fiscal year, and each fiscal
17 year thereafter, be construed to include the “Diplo-
18 matic Programs” account.

19 CAPITAL INVESTMENT FUND

20 For necessary expenses of the Capital Investment
21 Fund, as authorized, \$139,500,000, to remain available
22 until expended.

23 OFFICE OF INSPECTOR GENERAL

24 For necessary expenses of the Office of Inspector
25 General, \$90,829,000, of which \$13,624,000 may remain

1 available until September 30, 2021: *Provided*, That funds
2 appropriated under this heading are made available not-
3 withstanding section 209(a)(1) of the Foreign Service Act
4 of 1980 (22 U.S.C. 3929(a)(1)), as it relates to post in-
5 spections.

6 In addition, for the Special Inspector General for Af-
7 ghanistan Reconstruction (SIGAR) for reconstruction
8 oversight, \$54,900,000, to remain available until Sep-
9 tember 30, 2021, which is designated by the Congress for
10 Overseas Contingency Operations/Global War on Ter-
11 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
12 anced Budget and Emergency Deficit Control Act of 1985:
13 *Provided*, That funds appropriated under this heading
14 that are made available for the printing and reproduction
15 costs of SIGAR shall not exceed amounts for such costs
16 during fiscal year 2019.

17 EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

18 For necessary expenses of educational and cultural
19 exchange programs, as authorized, \$730,700,000, to re-
20 main available until expended, of which not less than
21 \$272,000,000 shall be for the Fulbright Program and not
22 less than \$111,860,000 shall be for Citizen Exchange Pro-
23 gram: *Provided*, That fees or other payments received
24 from, or in connection with, English teaching, educational
25 advising and counseling programs, and exchange visitor

1 programs as authorized may be credited to this account,
2 to remain available until expended: *Provided further*, That
3 a portion of the Fulbright awards from the Eurasia and
4 Central Asia regions shall be designated as Edmund S.
5 Muskie Fellowships, following consultation with the Com-
6 mittees on Appropriations: *Provided further*, That funds
7 appropriated under this heading that are made available
8 for the Benjamin Gilman International Scholarships Pro-
9 gram shall also be made available for the John S. McCain
10 Scholars Program, pursuant to section 7075 of the De-
11 partment of State, Foreign Operations, and Related Pro-
12 grams Appropriations Act, 2019 (division F of Public Law
13 116–6): *Provided further*, That funds appropriated under
14 this heading shall be made available for a Civil Society
15 Exchange Program, in accordance with the requirements
16 specified under this heading in the explanatory statement
17 described in section 4 (in the matter preceding division
18 A of this consolidated Act), and following consultation
19 with the Committees on Appropriations: *Provided further*,
20 That any substantive modifications from the prior fiscal
21 year to programs funded by this Act under this heading
22 shall be subject to prior consultation with, and the regular
23 notification procedures of, the Committees on Appropria-
24 tions.

1 REPRESENTATION EXPENSES

2 For representation expenses as authorized,
3 \$7,212,000.

4 PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

5 For necessary expenses, not otherwise provided, to
6 enable the Secretary of State to provide for extraordinary
7 protective services, as authorized, \$30,890,000, to remain
8 available until September 30, 2021.

9 EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

10 For necessary expenses for carrying out the Foreign
11 Service Buildings Act of 1926 (22 U.S.C. 292 et seq.),
12 preserving, maintaining, repairing, and planning for real
13 property that are owned or leased by the Department of
14 State, and renovating, in addition to funds otherwise avail-
15 able, the Harry S Truman Building, \$769,800,000, to re-
16 main available until September 30, 2024, of which not to
17 exceed \$25,000 may be used for overseas representation
18 expenses as authorized: *Provided*, That none of the funds
19 appropriated in this paragraph shall be available for acqui-
20 sition of furniture, furnishings, or generators for other de-
21 partments and agencies of the United States Government.

22 In addition, for the costs of worldwide security up-
23 grades, acquisition, and construction as authorized,
24 \$1,205,649,000, to remain available until expended, of
25 which \$424,087,000 is designated by the Congress for

1 Overseas Contingency Operations/Global War on Ter-
2 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
3 anced Budget and Emergency Deficit Control Act of 1985.

4 EMERGENCIES IN THE DIPLOMATIC AND CONSULAR
5 SERVICE

6 For necessary expenses to enable the Secretary of
7 State to meet unforeseen emergencies arising in the Diplo-
8 matic and Consular Service, as authorized, \$7,885,000, to
9 remain available until expended, of which not to exceed
10 \$1,000,000 may be transferred to, and merged with, funds
11 appropriated by this Act under the heading “Repatriation
12 Loans Program Account”.

13 REPATRIATION LOANS PROGRAM ACCOUNT

14 For the cost of direct loans, \$1,300,000, as author-
15 ized: *Provided*, That such costs, including the cost of
16 modifying such loans, shall be as defined in section 502
17 of the Congressional Budget Act of 1974: *Provided fur-*
18 *ther*, That such funds are available to subsidize gross obli-
19 gations for the principal amount of direct loans not to ex-
20 ceed \$5,563,619.

21 PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

22 For necessary expenses to carry out the Taiwan Rela-
23 tions Act (Public Law 96–8), \$31,963,000.

1 INTERNATIONAL CENTER, WASHINGTON, DISTRICT OF
2 COLUMBIA

3 Not to exceed \$1,806,600 shall be derived from fees
4 collected from other executive agencies for lease or use of
5 facilities at the International Center in accordance with
6 section 4 of the International Center Act (Public Law 90–
7 553), and, in addition, as authorized by section 5 of such
8 Act, \$743,000, to be derived from the reserve authorized
9 by such section, to be used for the purposes set out in
10 that section.

11 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
12 DISABILITY FUND

13 For payment to the Foreign Service Retirement and
14 Disability Fund, as authorized, \$158,900,000.

15 INTERNATIONAL ORGANIZATIONS

16 CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

17 For necessary expenses, not otherwise provided for,
18 to meet annual obligations of membership in international
19 multilateral organizations, pursuant to treaties ratified
20 pursuant to the advice and consent of the Senate, conven-
21 tions, or specific Acts of Congress, \$1,473,806,000, of
22 which \$96,240,000, to remain available until September
23 30, 2021, is designated by the Congress for Overseas Con-
24 tingency Operations/Global War on Terrorism pursuant to
25 section 251(b)(2)(A)(ii) of the Balanced Budget and

1 Emergency Deficit Control Act of 1985: *Provided*, That
2 the Secretary of State shall, at the time of the submission
3 of the President's budget to Congress under section
4 1105(a) of title 31, United States Code, transmit to the
5 Committees on Appropriations the most recent biennial
6 budget prepared by the United Nations for the operations
7 of the United Nations: *Provided further*, That the Sec-
8 retary of State shall notify the Committees on Appropria-
9 tions at least 15 days in advance (or in an emergency,
10 as far in advance as is practicable) of any United Nations
11 action to increase funding for any United Nations pro-
12 gram without identifying an offsetting decrease elsewhere
13 in the United Nations budget: *Provided further*, That any
14 payment of arrearages under this heading shall be directed
15 to activities that are mutually agreed upon by the United
16 States and the respective international organization and
17 shall be subject to the regular notification procedures of
18 the Committees on Appropriations: *Provided further*, That
19 none of the funds appropriated under this heading shall
20 be available for a United States contribution to an inter-
21 national organization for the United States share of inter-
22 est costs made known to the United States Government
23 by such organization for loans incurred on or after Octo-
24 ber 1, 1984, through external borrowings.

1 priated under this heading may be made available for obli-
2 gation unless the Secretary of State certifies and reports
3 to the Committees on Appropriations on a peacekeeping
4 mission-by-mission basis that the United Nations is imple-
5 menting effective policies and procedures to prevent
6 United Nations employees, contractor personnel, and
7 peacekeeping troops serving in such mission from traf-
8 ficking in persons, exploiting victims of trafficking, or
9 committing acts of sexual exploitation and abuse or other
10 violations of human rights, and to hold accountable indi-
11 viduals who engage in such acts while participating in
12 such mission, including prosecution in their home coun-
13 tries and making information about such prosecutions
14 publicly available on the website of the United Nations:
15 *Provided further*, That the Secretary of State shall work
16 with the United Nations and foreign governments contrib-
17 uting peacekeeping troops to implement effective vetting
18 procedures to ensure that such troops have not violated
19 human rights: *Provided further*, That funds shall be avail-
20 able for peacekeeping expenses unless the Secretary of
21 State determines that United States manufacturers and
22 suppliers are not being given opportunities to provide
23 equipment, services, and material for United Nations
24 peacekeeping activities equal to those being given to for-
25 eign manufacturers and suppliers: *Provided further*, That

1 none of the funds appropriated or otherwise made avail-
2 able under this heading may be used for any United Na-
3 tions peacekeeping mission that will involve United States
4 Armed Forces under the command or operational control
5 of a foreign national, unless the President's military advi-
6 sors have submitted to the President a recommendation
7 that such involvement is in the national interest of the
8 United States and the President has submitted to Con-
9 gress such a recommendation: *Provided further*, That the
10 Secretary of State shall work with the United Nations and
11 members of the United Nations Security Council to evalu-
12 ate and prioritize peacekeeping missions, and to consider
13 a drawdown when mission goals have been substantially
14 achieved: *Provided further*, That any payment of arrear-
15 ages with funds appropriated by this Act shall be subject
16 to the regular notification procedures of the Committees
17 on Appropriations.

18 INTERNATIONAL COMMISSIONS

19 For necessary expenses, not otherwise provided for,
20 to meet obligations of the United States arising under
21 treaties, or specific Acts of Congress, as follows:

22 INTERNATIONAL BOUNDARY AND WATER COMMISSION,

23 UNITED STATES AND MEXICO

24 For necessary expenses for the United States Section
25 of the International Boundary and Water Commission,

1 United States and Mexico, and to comply with laws appli-
2 cable to the United States Section, including not to exceed
3 \$6,000 for representation expenses; as follows:

4 SALARIES AND EXPENSES

5 For salaries and expenses, not otherwise provided for,
6 \$48,170,000.

7 CONSTRUCTION

8 For detailed plan preparation and construction of au-
9 thorized projects, \$36,900,000, to remain available until
10 expended, as authorized.

11 AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

12 For necessary expenses, not otherwise provided, for
13 the International Joint Commission and the International
14 Boundary Commission, United States and Canada, as au-
15 thorized by treaties between the United States and Can-
16 ada or Great Britain, and the Border Environment Co-
17 operation Commission as authorized by the North Amer-
18 ican Free Trade Agreement Implementation Act (Public
19 Law 103–182), \$15,008,000: *Provided*, That of the
20 amount provided under this heading for the International
21 Joint Commission, up to \$1,250,000 may remain available
22 until September 30, 2021, and up to \$9,000 may be made
23 available for representation expenses: *Provided further*,
24 That of the amount provided under this heading for the

1 International Boundary Commission, up to \$1,000 may be
2 made available for representation expenses.

3 INTERNATIONAL FISHERIES COMMISSIONS

4 For necessary expenses for international fisheries
5 commissions, not otherwise provided for, as authorized by
6 law, \$62,718,000: *Provided*, That the United States share
7 of such expenses may be advanced to the respective com-
8 missions pursuant to section 3324 of title 31, United
9 States Code.

10 RELATED AGENCY

11 UNITED STATES AGENCY FOR GLOBAL MEDIA

12 INTERNATIONAL BROADCASTING OPERATIONS

13 For necessary expenses to enable the United States
14 Agency for Global Media (USAGM), as authorized, to
15 carry out international communication activities, and to
16 make and supervise grants for radio, Internet, and tele-
17 vision broadcasting to the Middle East, \$798,696,000:
18 *Provided*, That in addition to amounts otherwise available
19 for such purposes, up to \$40,708,000 of the amount ap-
20 propriated under this heading may remain available until
21 expended for satellite transmissions and Internet freedom
22 programs, of which not less than \$20,000,000 shall be for
23 Internet freedom programs: *Provided further*, That of the
24 total amount appropriated under this heading, not to ex-
25 ceed \$35,000 may be used for representation expenses, of

1 which \$10,000 may be used for such expenses within the
2 United States as authorized, and not to exceed \$30,000
3 may be used for representation expenses of Radio Free
4 Europe/Radio Liberty: *Provided further*, That the USAGM
5 shall notify the Committees on Appropriations within 15
6 days of any determination by the USAGM that any of its
7 broadcast entities, including its grantee organizations,
8 provides an open platform for international terrorists or
9 those who support international terrorism, or is in viola-
10 tion of the principles and standards set forth in sub-
11 sections (a) and (b) of section 303 of the United States
12 International Broadcasting Act of 1994 (22 U.S.C. 6202)
13 or the entity's journalistic code of ethics: *Provided further*,
14 That in addition to funds made available under this head-
15 ing, and notwithstanding any other provision of law, up
16 to \$5,000,000 in receipts from advertising and revenue
17 from business ventures, up to \$500,000 in receipts from
18 cooperating international organizations, and up to
19 \$1,000,000 in receipts from privatization efforts of the
20 Voice of America and the International Broadcasting Bu-
21 reau, shall remain available until expended for carrying
22 out authorized purposes: *Provided further*, That signifi-
23 cant modifications to USAGM broadcast hours previously
24 justified to Congress, including changes to transmission
25 platforms (shortwave, medium wave, satellite, Internet,

1 and television), for all USAGM language services shall be
2 subject to the regular notification procedures of the Com-
3 mittees on Appropriations: *Provided further*, That up to
4 \$7,000,000 from the USAGM Buying Power Maintenance
5 account may be transferred to, and merged with, funds
6 appropriated by this Act under the heading “International
7 Broadcasting Operations”, which shall remain available
8 until expended: *Provided further*, That such transfer au-
9 thority is in addition to any transfer authority otherwise
10 available under any other provision of law and shall be
11 subject to prior consultation with, and the regular notifica-
12 tion procedures of, the Committees on Appropriations:
13 *Provided further*, That any reference to the “Broadcasting
14 Board of Governors” or “BBG”, including in any account
15 providing amounts to the Broadcasting Board of Gov-
16 ernors, in any Act making appropriations for the Depart-
17 ment of State, foreign operations, and related programs
18 enacted before, on, or after the date of the enactment of
19 this Act shall for this fiscal year, and any fiscal year there-
20 after, be construed to mean the “United States Agency
21 for Global Media” or “USAGM”, respectively.

22 BROADCASTING CAPITAL IMPROVEMENTS

23 For the purchase, rent, construction, repair, preser-
24 vation, and improvement of facilities for radio, television,
25 and digital transmission and reception; the purchase, rent,

1 and installation of necessary equipment for radio, tele-
2 vision, and digital transmission and reception, including
3 to Cuba, as authorized; and physical security worldwide,
4 in addition to amounts otherwise available for such pur-
5 poses, \$11,700,000, to remain available until expended, as
6 authorized, of which not less than \$2,000,000 shall be
7 made available for emergency repairs to USAGM trans-
8 mitting stations.

9 RELATED PROGRAMS

10 THE ASIA FOUNDATION

11 For a grant to The Asia Foundation, as authorized
12 by The Asia Foundation Act (22 U.S.C. 4402),
13 \$19,000,000, to remain available until expended: *Pro-*
14 *vided*, That funds appropriated under this heading shall
15 be apportioned and obligated to the Foundation not later
16 than 60 days after enactment of this Act.

17 UNITED STATES INSTITUTE OF PEACE

18 For necessary expenses of the United States Institute
19 of Peace, as authorized by the United States Institute of
20 Peace Act (22 U.S.C. 4601 et seq.), \$45,000,000, to re-
21 main available until September 30, 2021, which shall not
22 be used for construction activities.

1 CENTER FOR MIDDLE EASTERN-WESTERN DIALOGUE
2 TRUST FUND

3 For necessary expenses of the Center for Middle
4 Eastern-Western Dialogue Trust Fund, as authorized by
5 section 633 of the Departments of Commerce, Justice, and
6 State, the Judiciary, and Related Agencies Appropriations
7 Act, 2004 (22 U.S.C. 2078), the total amount of the inter-
8 est and earnings accruing to such Fund on or before Sep-
9 tember 30, 2020, to remain available until expended.

10 EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

11 For necessary expenses of Eisenhower Exchange Fel-
12 lowships, Incorporated, as authorized by sections 4 and
13 5 of the Eisenhower Exchange Fellowship Act of 1990 (20
14 U.S.C. 5204–5205), all interest and earnings accruing to
15 the Eisenhower Exchange Fellowship Program Trust
16 Fund on or before September 30, 2020, to remain avail-
17 able until expended: *Provided*, That none of the funds ap-
18 propriated herein shall be used to pay any salary or other
19 compensation, or to enter into any contract providing for
20 the payment thereof, in excess of the rate authorized by
21 section 5376 of title 5, United States Code; or for pur-
22 poses which are not in accordance with section 200 of title
23 2 of the Code of Federal Regulations, including the re-
24 strictions on compensation for personal services.

1 ISRAELI ARAB SCHOLARSHIP PROGRAM

2 For necessary expenses of the Israeli Arab Scholar-
3 ship Program, as authorized by section 214 of the Foreign
4 Relations Authorization Act, Fiscal Years 1992 and 1993
5 (22 U.S.C. 2452 note), all interest and earnings accruing
6 to the Israeli Arab Scholarship Fund on or before Sep-
7 tember 30, 2020, to remain available until expended.

8 EAST-WEST CENTER

9 To enable the Secretary of State to provide for car-
10 rying out the provisions of the Center for Cultural and
11 Technical Interchange Between East and West Act of
12 1960, by grant to the Center for Cultural and Technical
13 Interchange Between East and West in the State of Ha-
14 waii, \$16,700,000: *Provided*, That funds appropriated
15 under this heading shall be apportioned and obligated to
16 the Center not later than 60 days after enactment of this
17 Act.

18 NATIONAL ENDOWMENT FOR DEMOCRACY

19 For grants made by the Department of State to the
20 National Endowment for Democracy, as authorized by the
21 National Endowment for Democracy Act (22 U.S.C.
22 4412), \$300,000,000, to remain available until expended,
23 of which \$195,840,000 shall be allocated in the traditional
24 and customary manner, including for the core institutes,
25 and \$104,160,000 shall be for democracy programs: *Pro-*

1 as authorized by title II of the International Religious
2 Freedom Act of 1998 (22 U.S.C. 6431 et seq.),
3 \$4,500,000, to remain available until September 30, 2021,
4 including not more than \$4,000 for representation ex-
5 penses: *Provided*, That prior to the obligation of
6 \$1,000,000 of the funds appropriated under this heading,
7 the Commission shall consult with the appropriate con-
8 gressional committees on the status of legislation to reau-
9 thorize the Commission, and such funds shall be subject
10 to the regular notification procedures of the Committees
11 on Appropriations.

12 COMMISSION ON SECURITY AND COOPERATION IN

13 EUROPE

14 SALARIES AND EXPENSES

15 For necessary expenses of the Commission on Secu-
16 rity and Cooperation in Europe, as authorized by Public
17 Law 94–304 (22 U.S.C. 3001 et seq.), \$2,579,000, includ-
18 ing not more than \$4,000 for representation expenses, to
19 remain available until September 30, 2021.

20 CONGRESSIONAL-EXECUTIVE COMMISSION ON THE

21 PEOPLE’S REPUBLIC OF CHINA

22 SALARIES AND EXPENSES

23 For necessary expenses of the Congressional-Execu-
24 tive Commission on the People’s Republic of China, as au-
25 thorized by title III of the U.S.-China Relations Act of

1 2000 (22 U.S.C. 6911 et seq.), \$2,250,000, including not
2 more than \$3,000 for representation expenses, to remain
3 available until September 30, 2021.

4 UNITED STATES-CHINA ECONOMIC AND SECURITY
5 REVIEW COMMISSION
6 SALARIES AND EXPENSES

7 For necessary expenses of the United States-China
8 Economic and Security Review Commission, as authorized
9 by section 1238 of the Floyd D. Spence National Defense
10 Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002),
11 \$3,500,000, including not more than \$4,000 for represen-
12 tation expenses, to remain available until September 30,
13 2021: *Provided*, That the authorities, requirements, limi-
14 tations, and conditions contained in the second through
15 sixth provisos under this heading in the Department of
16 State, Foreign Operations, and Related Programs Appro-
17 priations Act, 2010 (division F of Public Law 111–117)
18 shall continue in effect during fiscal year 2020 and shall
19 apply to funds appropriated under this heading.

1 TITLE II
2 UNITED STATES AGENCY FOR INTERNATIONAL
3 DEVELOPMENT
4 FUNDS APPROPRIATED TO THE PRESIDENT
5 OPERATING EXPENSES

6 For necessary expenses to carry out the provisions
7 of section 667 of the Foreign Assistance Act of 1961,
8 \$1,377,246,000, of which up to \$206,587,000 may remain
9 available until September 30, 2021: *Provided*, That none
10 of the funds appropriated under this heading and under
11 the heading “Capital Investment Fund” in this title may
12 be made available to finance the construction (including
13 architect and engineering services), purchase, or long-term
14 lease of offices for use by the United States Agency for
15 International Development, unless the USAID Adminis-
16 trator has identified such proposed use of funds in a re-
17 port submitted to the Committees on Appropriations at
18 least 15 days prior to the obligation of funds for such pur-
19 poses: *Provided further*, That contracts or agreements en-
20 tered into with funds appropriated under this heading may
21 entail commitments for the expenditure of such funds
22 through the following fiscal year: *Provided further*, That
23 the authority of sections 610 and 109 of the Foreign As-
24 sistance Act of 1961 may be exercised by the Secretary
25 of State to transfer funds appropriated to carry out chap-

1 ter 1 of part I of such Act to “Operating Expenses” in
2 accordance with the provisions of those sections: *Provided*
3 *further*, That of the funds appropriated or made available
4 under this heading, not to exceed \$250,000 may be avail-
5 able for representation and entertainment expenses, of
6 which not to exceed \$5,000 may be available for entertain-
7 ment expenses, and not to exceed \$100,500 shall be for
8 official residence expenses, for USAID during the current
9 fiscal year: *Provided further*, That the USAID Adminis-
10 trator shall consult with the Committees on Appropria-
11 tions not later than 60 days after enactment of this Act
12 on changes to the account structure as described in the
13 explanatory statement described in section 4 (in the mat-
14 ter preceding division A of this consolidated Act).

15 CAPITAL INVESTMENT FUND

16 For necessary expenses for overseas construction and
17 related costs, and for the procurement and enhancement
18 of information technology and related capital investments,
19 pursuant to section 667 of the Foreign Assistance Act of
20 1961, \$210,300,000, to remain available until expended:
21 *Provided*, That this amount is in addition to funds other-
22 wise available for such purposes: *Provided further*, That
23 funds appropriated under this heading shall be available
24 subject to the regular notification procedures of the Com-
25 mittees on Appropriations.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary expenses to carry out the provisions
3 of section 667 of the Foreign Assistance Act of 1961,
4 \$75,500,000, of which up to \$11,325,000 may remain
5 available until September 30, 2021, for the Office of In-
6 spector General of the United States Agency for Inter-
7 national Development.

1 TITLE III
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT

4 For necessary expenses to enable the President to
5 carry out the provisions of the Foreign Assistance Act of
6 1961, and for other purposes, as follows:

7 GLOBAL HEALTH PROGRAMS

8 For necessary expenses to carry out the provisions
9 of chapters 1 and 10 of part I of the Foreign Assistance
10 Act of 1961, for global health activities, in addition to
11 funds otherwise available for such purposes,
12 \$3,162,450,000, to remain available until September 30,
13 2021, and which shall be apportioned directly to the
14 United States Agency for International Development not
15 later than 60 days after enactment of this Act: *Provided*,
16 That this amount shall be made available for training,
17 equipment, and technical assistance to build the capacity
18 of public health institutions and organizations in devel-
19 oping countries, and for such activities as: (1) child sur-
20 vival and maternal health programs; (2) immunization and
21 oral rehydration programs; (3) other health, nutrition,
22 water and sanitation programs which directly address the
23 needs of mothers and children, and related education pro-
24 grams; (4) assistance for children displaced or orphaned
25 by causes other than AIDS; (5) programs for the preven-

1 tion, treatment, control of, and research on HIV/AIDS,
2 tuberculosis, polio, malaria, and other infectious diseases
3 including neglected tropical diseases, and for assistance to
4 communities severely affected by HIV/AIDS, including
5 children infected or affected by AIDS; (6) disaster pre-
6 paredness training for health crises; (7) programs to pre-
7 vent, prepare for, and respond to, unanticipated and
8 emerging global health threats; and (8) family planning/
9 reproductive health: *Provided further*, That funds appro-
10 priated under this paragraph may be made available for
11 a United States contribution to The GAVI Alliance: *Pro-*
12 *vided further*, That none of the funds made available in
13 this Act nor any unobligated balances from prior appro-
14 priations Acts may be made available to any organization
15 or program which, as determined by the President of the
16 United States, supports or participates in the manage-
17 ment of a program of coercive abortion or involuntary
18 sterilization: *Provided further*, That any determination
19 made under the previous proviso must be made not later
20 than 6 months after the date of enactment of this Act,
21 and must be accompanied by the evidence and criteria uti-
22 lized to make the determination: *Provided further*, That
23 none of the funds made available under this Act may be
24 used to pay for the performance of abortion as a method
25 of family planning or to motivate or coerce any person

1 to practice abortions: *Provided further*, That nothing in
2 this paragraph shall be construed to alter any existing
3 statutory prohibitions against abortion under section 104
4 of the Foreign Assistance Act of 1961: *Provided further*,
5 That none of the funds made available under this Act may
6 be used to lobby for or against abortion: *Provided further*,
7 That in order to reduce reliance on abortion in developing
8 nations, funds shall be available only to voluntary family
9 planning projects which offer, either directly or through
10 referral to, or information about access to, a broad range
11 of family planning methods and services, and that any
12 such voluntary family planning project shall meet the fol-
13 lowing requirements: (1) service providers or referral
14 agents in the project shall not implement or be subject
15 to quotas, or other numerical targets, of total number of
16 births, number of family planning acceptors, or acceptors
17 of a particular method of family planning (this provision
18 shall not be construed to include the use of quantitative
19 estimates or indicators for budgeting and planning pur-
20 poses); (2) the project shall not include payment of incen-
21 tives, bribes, gratuities, or financial reward to: (A) an indi-
22 vidual in exchange for becoming a family planning accep-
23 tor; or (B) program personnel for achieving a numerical
24 target or quota of total number of births, number of fam-
25 ily planning acceptors, or acceptors of a particular method

1 of family planning; (3) the project shall not deny any right
2 or benefit, including the right of access to participate in
3 any program of general welfare or the right of access to
4 health care, as a consequence of any individual's decision
5 not to accept family planning services; (4) the project shall
6 provide family planning acceptors comprehensible infor-
7 mation on the health benefits and risks of the method cho-
8 sen, including those conditions that might render the use
9 of the method inadvisable and those adverse side effects
10 known to be consequent to the use of the method; and
11 (5) the project shall ensure that experimental contracep-
12 tive drugs and devices and medical procedures are pro-
13 vided only in the context of a scientific study in which
14 participants are advised of potential risks and benefits;
15 and, not less than 60 days after the date on which the
16 USAID Administrator determines that there has been a
17 violation of the requirements contained in paragraph (1),
18 (2), (3), or (5) of this proviso, or a pattern or practice
19 of violations of the requirements contained in paragraph
20 (4) of this proviso, the Administrator shall submit to the
21 Committees on Appropriations a report containing a de-
22 scription of such violation and the corrective action taken
23 by the Agency: *Provided further*, That in awarding grants
24 for natural family planning under section 104 of the For-
25 eign Assistance Act of 1961 no applicant shall be discrimi-

1 nated against because of such applicant’s religious or con-
2 scientious commitment to offer only natural family plan-
3 ning; and, additionally, all such applicants shall comply
4 with the requirements of the previous proviso: *Provided*
5 *further*, That for purposes of this or any other Act author-
6 izing or appropriating funds for the Department of State,
7 foreign operations, and related programs, the term “moti-
8 vate”, as it relates to family planning assistance, shall not
9 be construed to prohibit the provision, consistent with
10 local law, of information or counseling about all pregnancy
11 options: *Provided further*, That information provided
12 about the use of condoms as part of projects or activities
13 that are funded from amounts appropriated by this Act
14 shall be medically accurate and shall include the public
15 health benefits and failure rates of such use.

16 In addition, for necessary expenses to carry out the
17 provisions of the Foreign Assistance Act of 1961 for the
18 prevention, treatment, and control of, and research on,
19 HIV/AIDS, \$5,930,000,000, to remain available until
20 September 30, 2024, which shall be apportioned directly
21 to the Department of State not later than 60 days after
22 enactment of this Act: *Provided*, That funds appropriated
23 under this paragraph may be made available, notwith-
24 standing any other provision of law, except for the United
25 States Leadership Against HIV/AIDS, Tuberculosis, and

1 Malaria Act of 2003 (Public Law 108–25), for a United
2 States contribution to the Global Fund to Fight AIDS,
3 Tuberculosis and Malaria (Global Fund): *Provided further*,
4 That the amount of such contribution shall be
5 \$1,560,000,000 and shall be for the first installment of
6 the sixth replenishment: *Provided further*, That up to 5
7 percent of the aggregate amount of funds made available
8 to the Global Fund in fiscal year 2020 may be made avail-
9 able to USAID for technical assistance related to the ac-
10 tivities of the Global Fund, subject to the regular notifica-
11 tion procedures of the Committees on Appropriations: *Pro-*
12 *vided further*, That of the funds appropriated under this
13 paragraph, up to \$17,000,000 may be made available, in
14 addition to amounts otherwise available for such purposes,
15 for administrative expenses of the Office of the United
16 States Global AIDS Coordinator.

17 DEVELOPMENT ASSISTANCE

18 For necessary expenses to carry out the provisions
19 of sections 103, 105, 106, 214, and sections 251 through
20 255, and chapter 10 of part I of the Foreign Assistance
21 Act of 1961, \$3,400,000,000, to remain available until
22 September 30, 2021: *Provided*, That funds made available
23 under this heading shall be apportioned directly to the
24 United States Agency for International Development not
25 later than 60 days after enactment of this Act.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of section 491 of the Foreign Assistance Act of 1961 for
4 international disaster relief, rehabilitation, and recon-
5 struction assistance, \$4,395,362,000, to remain available
6 until expended, of which \$1,733,980,000 is designated by
7 the Congress for Overseas Contingency Operations/Global
8 War on Terrorism pursuant to section 251(b)(2)(A)(ii) of
9 the Balanced Budget and Emergency Deficit Control Act
10 of 1985: *Provided*, That funds made available under this
11 heading shall be apportioned to the United States Agency
12 for International Development not later than 60 days after
13 enactment of this Act.

14 TRANSITION INITIATIVES

15 For necessary expenses for international disaster re-
16 habilitation and reconstruction assistance administered by
17 the Office of Transition Initiatives, United States Agency
18 for International Development, pursuant to section 491 of
19 the Foreign Assistance Act of 1961, and to support transi-
20 tion to democracy and long-term development of countries
21 in crisis, \$92,043,000, to remain available until expended:
22 *Provided*, That such support may include assistance to de-
23 velop, strengthen, or preserve democratic institutions and
24 processes, revitalize basic infrastructure, and foster the
25 peaceful resolution of conflict: *Provided further*, That the

1 USAID Administrator shall submit a report to the Com-
2 mittees on Appropriations at least 5 days prior to begin-
3 ning a new program of assistance: *Provided further*, That
4 if the Secretary of State determines that it is important
5 to the national interest of the United States to provide
6 transition assistance in excess of the amount appropriated
7 under this heading, up to \$15,000,000 of the funds appro-
8 priated by this Act to carry out the provisions of part I
9 of the Foreign Assistance Act of 1961 may be used for
10 purposes of this heading and under the authorities appli-
11 cable to funds appropriated under this heading: *Provided*
12 *further*, That funds made available pursuant to the pre-
13 vious proviso shall be made available subject to prior con-
14 sultation with the Committees on Appropriations.

15
16 COMPLEX CRISES FUND

17 For necessary expenses to carry out the provisions
18 of the Foreign Assistance Act of 1961 to support pro-
19 grams and activities administered by the United States
20 Agency for International Development to prevent or re-
21 spond to emerging or unforeseen foreign challenges and
22 complex crises overseas, \$30,000,000, to remain available
23 until expended: *Provided*, That funds appropriated under
24 this heading may be made available on such terms and
25 conditions as are appropriate and necessary for the pur-
poses of preventing or responding to such challenges and

1 crises, except that no funds shall be made available for
2 lethal assistance or to respond to natural disasters: *Pro-*
3 *vided further*, That funds appropriated under this heading
4 may be made available notwithstanding any other provi-
5 sion of law, except sections 7007, 7008, and 7018 of this
6 Act and section 620M of the Foreign Assistance Act of
7 1961: *Provided further*, That funds appropriated under
8 this heading may be used for administrative expenses, in
9 addition to funds otherwise available for such purposes,
10 except that such expenses may not exceed 5 percent of
11 the funds appropriated under this heading: *Provided fur-*
12 *ther*, That funds appropriated under this heading shall be
13 apportioned to USAID not later than 60 days after enact-
14 ment of this Act: *Provided further*, That funds appro-
15 priated under this heading shall be subject to the regular
16 notification procedures of the Committees on Appropria-
17 tions, except that such notifications shall be transmitted
18 at least 5 days prior to the obligation of funds.

19 ECONOMIC SUPPORT FUND

20 For necessary expenses to carry out the provisions
21 of chapter 4 of part II of the Foreign Assistance Act of
22 1961, \$3,045,000,000, to remain available until Sep-
23 tember 30, 2021.

1 DEMOCRACY FUND

2 For necessary expenses to carry out the provisions
3 of the Foreign Assistance Act of 1961 for the promotion
4 of democracy globally, including to carry out the purposes
5 of section 502(b)(3) and (5) of Public Law 98–164 (22
6 U.S.C. 4411), \$178,450,000, to remain available until
7 September 30, 2021, which shall be made available for the
8 Human Rights and Democracy Fund of the Bureau of De-
9 mocracy, Human Rights, and Labor, Department of
10 State, and shall be apportioned to such Bureau not later
11 than 60 days after enactment of this Act: *Provided*, That
12 funds appropriated under this heading that are made
13 available to the National Endowment for Democracy and
14 its core institutes are in addition to amounts otherwise
15 available by this Act for such purposes: *Provided further*,
16 That the Assistant Secretary for Democracy, Human
17 Rights, and Labor, Department of State, shall consult
18 with the Committees on Appropriations prior to the initial
19 obligation of funds appropriated under this paragraph.

20 For an additional amount for such purposes,
21 \$95,250,000, to remain available until September 30,
22 2021, which shall be made available for the Bureau for
23 Democracy, Conflict, and Humanitarian Assistance,
24 United States Agency for International Development, and

1 shall be apportioned to such Bureau not later than 60
2 days after enactment of this Act.

3 ASSISTANCE FOR EUROPE, EURASIA AND CENTRAL ASIA

4 For necessary expenses to carry out the provisions
5 of the Foreign Assistance Act of 1961, the FREEDOM
6 Support Act (Public Law 102–511), and the Support for
7 Eastern European Democracy (SEED) Act of 1989 (Pub-
8 lic Law 101–179), \$770,334,000, to remain available until
9 September 30, 2021, which shall be available, notwith-
10 standing any other provision of law, except section 7047
11 of this Act, for assistance and related programs for coun-
12 tries identified in section 3 of the FREEDOM Support
13 Act (22 U.S.C. 5801) and section 3(c) of the SEED Act
14 of 1989 (22 U.S.C. 5402), in addition to funds otherwise
15 available for such purposes: *Provided*, That funds appro-
16 priated by this Act under the headings “Global Health
17 Programs”, “Economic Support Fund”, and “Inter-
18 national Narcotics Control and Law Enforcement” that
19 are made available for assistance for such countries shall
20 be administered in accordance with the responsibilities of
21 the coordinator designated pursuant to section 102 of the
22 FREEDOM Support Act and section 601 of the SEED
23 Act of 1989: *Provided further*, That funds appropriated
24 under this heading shall be considered to be economic as-
25 sistance under the Foreign Assistance Act of 1961 for

1 purposes of making available the administrative authori-
2 ties contained in that Act for the use of economic assist-
3 ance: *Provided further*, That funds appropriated under
4 this heading may be made available for contributions to
5 multilateral initiatives to counter hybrid threats: *Provided*
6 *further*, That any notification of funds made available
7 under this heading in this Act or prior Acts making appro-
8 priations for the Department of State, foreign operations,
9 and related programs shall include information (if known
10 on the date of transmittal of such notification) on the use
11 of notwithstanding authority: *Provided further*, That if
12 subsequent to the notification of assistance it becomes nec-
13 essary to rely on notwithstanding authority, the Commit-
14 tees on Appropriations should be informed at the earliest
15 opportunity and to the extent practicable.

16 DEPARTMENT OF STATE

17 MIGRATION AND REFUGEE ASSISTANCE

18 For necessary expenses not otherwise provided for,
19 to enable the Secretary of State to carry out the provisions
20 of section 2(a) and (b) of the Migration and Refugee As-
21 sistance Act of 1962 (22 U.S.C. 2601), and other activi-
22 ties to meet refugee and migration needs; salaries and ex-
23 penses of personnel and dependents as authorized by the
24 Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.);
25 allowances as authorized by sections 5921 through 5925

1 of title 5, United States Code; purchase and hire of pas-
2 senger motor vehicles; and services as authorized by sec-
3 tion 3109 of title 5, United States Code, \$3,432,000,000,
4 to remain available until expended, of which:
5 \$1,521,355,000 is designated by the Congress for Over-
6 seas Contingency Operations/Global War on Terrorism
7 pursuant to section 251(b)(2)(A)(ii) of the Balanced
8 Budget and Emergency Deficit Control Act of 1985; not
9 less than \$35,000,000 shall be made available to respond
10 to small-scale emergency humanitarian requirements; and
11 \$5,000,000 shall be made available for refugees resettling
12 in Israel.

13 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
14 ASSISTANCE FUND

15 For necessary expenses to carry out the provisions
16 of section 2(c) of the Migration and Refugee Assistance
17 Act of 1962 (22 U.S.C. 2601(c)), \$100,000, to remain
18 available until expended: *Provided*, That amounts in ex-
19 cess of the limitation contained in paragraph (2) of such
20 section shall be transferred to, and merged with, funds
21 made available by this Act under the heading “Migration
22 and Refugee Assistance”.

1 INDEPENDENT AGENCIES

2 PEACE CORPS

3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the provisions
5 of the Peace Corps Act (22 U.S.C. 2501 et seq.), including
6 the purchase of not to exceed five passenger motor vehicles
7 for administrative purposes for use outside of the United
8 States, \$410,500,000, of which \$6,330,000 is for the Of-
9 fice of Inspector General, to remain available until Sep-
10 tember 30, 2021: *Provided*, That the Director of the Peace
11 Corps may transfer to the Foreign Currency Fluctuations
12 Account, as authorized by section 16 of the Peace Corps
13 Act (22 U.S.C. 2515), an amount not to exceed
14 \$5,000,000: *Provided further*, That funds transferred pur-
15 suant to the previous proviso may not be derived from
16 amounts made available for Peace Corps overseas oper-
17 ations: *Provided further*, That of the funds appropriated
18 under this heading, not to exceed \$104,000 may be avail-
19 able for representation expenses, of which not to exceed
20 \$4,000 may be made available for entertainment expenses:
21 *Provided further*, That none of the funds appropriated
22 under this heading shall be used to pay for abortions: *Pro-*
23 *vided further*, That notwithstanding the previous proviso,
24 section 614 of division E of Public Law 113–76 shall
25 apply to funds appropriated under this heading.

1 MILLENNIUM CHALLENGE CORPORATION

2 For necessary expenses to carry out the provisions
3 of the Millennium Challenge Act of 2003 (22 U.S.C. 7701
4 et seq.) (MCA), \$905,000,000, to remain available until
5 expended: *Provided*, That of the funds appropriated under
6 this heading, up to \$105,000,000 may be available for ad-
7 ministrative expenses of the Millennium Challenge Cor-
8 poration: *Provided further*, That section 605(e) of the
9 MCA (22 U.S.C. 7704(e)) shall apply to funds appro-
10 priated under this heading: *Provided further*, That funds
11 appropriated under this heading may be made available
12 for a Millennium Challenge Compact entered into pursu-
13 ant to section 609 of the MCA (22 U.S.C. 7708) only if
14 such Compact obligates, or contains a commitment to obli-
15 gate subject to the availability of funds and the mutual
16 agreement of the parties to the Compact to proceed, the
17 entire amount of the United States Government funding
18 anticipated for the duration of the Compact: *Provided fur-*
19 *ther*, That no country should be eligible for a threshold
20 program after such country has completed a country com-
21 pact: *Provided further*, That of the funds appropriated
22 under this heading, not to exceed \$100,000 may be avail-
23 able for representation and entertainment expenses, of
24 which not to exceed \$5,000 may be available for entertain-
25 ment expenses.

1 INTER-AMERICAN FOUNDATION

2 For necessary expenses to carry out the functions of
3 the Inter-American Foundation in accordance with the
4 provisions of section 401 of the Foreign Assistance Act
5 of 1969, \$37,500,000, to remain available until September
6 30, 2021: *Provided*, That of the funds appropriated under
7 this heading, not to exceed \$2,000 may be available for
8 representation expenses.

9 UNITED STATES AFRICAN DEVELOPMENT FOUNDATION

10 For necessary expenses to carry out the African De-
11 velopment Foundation Act (title V of Public Law 96–533;
12 22 U.S.C. 290h et seq.), \$33,000,000, to remain available
13 until September 30, 2021, of which not to exceed \$2,000
14 may be available for representation expenses: *Provided*,
15 That funds made available to grantees may be invested
16 pending expenditure for project purposes when authorized
17 by the Board of Directors of the United States African
18 Development Foundation (USADF): *Provided further*,
19 That interest earned shall be used only for the purposes
20 for which the grant was made: *Provided further*, That not-
21 withstanding section 505(a)(2) of the African Develop-
22 ment Foundation Act (22 U.S.C. 290h–3(a)(2)), in excep-
23 tional circumstances the Board of Directors of the
24 USADF may waive the \$250,000 limitation contained in
25 that section with respect to a project and a project may

1 exceed the limitation by up to 10 percent if the increase
2 is due solely to foreign currency fluctuation: *Provided fur-*
3 *ther*, That the USADF shall submit a report to the appro-
4 priate congressional committees after each time such waiv-
5 er authority is exercised: *Provided further*, That the
6 USADF may make rent or lease payments in advance
7 from appropriations available for such purpose for offices,
8 buildings, grounds, and quarters in Africa as may be nec-
9 essary to carry out its functions: *Provided further*, That
10 the USADF may maintain bank accounts outside the
11 United States Treasury and retain any interest earned on
12 such accounts, in furtherance of the purposes of the Afri-
13 can Development Foundation Act: *Provided further*, That
14 the USADF may not withdraw any appropriation from the
15 Treasury prior to the need of spending such funds for pro-
16 gram purposes.

17 DEPARTMENT OF THE TREASURY

18 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

19 For necessary expenses to carry out the provisions
20 of section 129 of the Foreign Assistance Act of 1961,
21 \$30,000,000, to remain available until expended, of which
22 not more than \$6,000,000 may be used for administrative
23 expenses: *Provided*, That amounts made available under
24 this heading may be made available to contract for services
25 as described in section 129(d)(3)(A) of the Foreign Assist-

1 TITLE IV
2 INTERNATIONAL SECURITY ASSISTANCE
3 DEPARTMENT OF STATE
4 INTERNATIONAL NARCOTICS CONTROL AND LAW
5 ENFORCEMENT

6 For necessary expenses to carry out section 481 of
7 the Foreign Assistance Act of 1961, \$1,391,000,000, to
8 remain available until September 30, 2021: *Provided*,
9 That the Department of State may use the authority of
10 section 608 of the Foreign Assistance Act of 1961, with-
11 out regard to its restrictions, to receive excess property
12 from an agency of the United States Government for the
13 purpose of providing such property to a foreign country
14 or international organization under chapter 8 of part I of
15 such Act, subject to the regular notification procedures of
16 the Committees on Appropriations: *Provided further*, That
17 section 482(b) of the Foreign Assistance Act of 1961 shall
18 not apply to funds appropriated under this heading, except
19 that any funds made available notwithstanding such sec-
20 tion shall be subject to the regular notification procedures
21 of the Committees on Appropriations: *Provided further*,
22 That funds appropriated under this heading shall be made
23 available to support training and technical assistance for
24 foreign law enforcement, corrections, judges, and other ju-
25 dicial authorities, utilizing regional partners: *Provided fur-*

1 *ther*, That funds made available under this heading that
2 are transferred to another department, agency, or instru-
3 mentality of the United States Government pursuant to
4 section 632(b) of the Foreign Assistance Act of 1961 val-
5 ued in excess of \$5,000,000, and any agreement made
6 pursuant to section 632(a) of such Act, shall be subject
7 to the regular notification procedures of the Committees
8 on Appropriations.

9 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
10 RELATED PROGRAMS

11 For necessary expenses for nonproliferation, anti-ter-
12 rorism, demining and related programs and activities,
13 \$895,750,000, to remain available until September 30,
14 2021, to carry out the provisions of chapter 8 of part II
15 of the Foreign Assistance Act of 1961 for anti-terrorism
16 assistance, chapter 9 of part II of the Foreign Assistance
17 Act of 1961, section 504 of the FREEDOM Support Act
18 (22 U.S.C. 5854), section 23 of the Arms Export Control
19 Act (22 U.S.C. 2763), or the Foreign Assistance Act of
20 1961 for demining activities, the clearance of unexploded
21 ordnance, the destruction of small arms, and related ac-
22 tivities, notwithstanding any other provision of law, includ-
23 ing activities implemented through nongovernmental and
24 international organizations, and section 301 of the For-
25 eign Assistance Act of 1961 for a United States contribu-

1 tion to the Comprehensive Nuclear Test Ban Treaty Pre-
2 paratory Commission, and for a voluntary contribution to
3 the International Atomic Energy Agency (IAEA): *Pro-*
4 *vided*, That funds made available under this heading for
5 the Nonproliferation and Disarmament Fund shall be
6 made available, notwithstanding any other provision of law
7 and subject to prior consultation with, and the regular no-
8 tification procedures of, the Committees on Appropria-
9 tions, to promote bilateral and multilateral activities relat-
10 ing to nonproliferation, disarmament, and weapons de-
11 struction, and shall remain available until expended: *Pro-*
12 *vided further*, That such funds may also be used for such
13 countries other than the Independent States of the former
14 Soviet Union and international organizations when it is
15 in the national security interest of the United States to
16 do so: *Provided further*, That funds appropriated under
17 this heading may be made available for the IAEA unless
18 the Secretary of State determines that Israel is being de-
19 nied its right to participate in the activities of that Agen-
20 cy: *Provided further*, That funds made available for con-
21 ventional weapons destruction programs, including
22 demining and related activities, in addition to funds other-
23 wise available for such purposes, may be used for adminis-
24 trative expenses related to the operation and management
25 of such programs and activities, subject to the regular no-

1 tification procedures of the Committees on Appropria-
2 tions.

3 PEACEKEEPING OPERATIONS

4 For necessary expenses to carry out the provisions
5 of section 551 of the Foreign Assistance Act of 1961,
6 \$457,348,000, of which \$325,213,000, to remain available
7 until September 30, 2021, is designated by the Congress
8 for Overseas Contingency Operations/Global War on Ter-
9 rorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
10 anced Budget and Emergency Deficit Control Act of 1985:
11 *Provided*, That funds appropriated under this heading
12 may be used, notwithstanding section 660 of the Foreign
13 Assistance Act of 1961, to provide assistance to enhance
14 the capacity of foreign civilian security forces, including
15 gendarmes, to participate in peacekeeping operations: *Pro-*
16 *vided further*, That of the funds appropriated under this
17 heading, not less than \$31,000,000 shall be made avail-
18 able for a United States contribution to the Multinational
19 Force and Observers mission in the Sinai and not less
20 than \$71,000,000 shall be made available for the Global
21 Peace Operations Initiative: *Provided further*, That funds
22 appropriated under this heading may be made available
23 to pay assessed expenses of international peacekeeping ac-
24 tivities in Somalia under the same terms and conditions,
25 as applicable, as funds appropriated by this Act under the

1 heading “Contributions for International Peacekeeping
2 Activities”: *Provided further*, That none of the funds ap-
3 propriated under this heading shall be obligated except as
4 provided through the regular notification procedures of the
5 Committees on Appropriations.

6 FUNDS APPROPRIATED TO THE PRESIDENT

7 INTERNATIONAL MILITARY EDUCATION AND TRAINING

8 For necessary expenses to carry out the provisions
9 of section 541 of the Foreign Assistance Act of 1961,
10 \$112,925,000, of which up to \$11,000,000 may remain
11 available until September 30, 2021 and may not be obli-
12 gated until the Secretary of State submits to the Commit-
13 tees on Appropriations, following consultation with such
14 Committees, a monitoring and evaluation plan for funds
15 made available under this heading, as described under this
16 heading in Senate Report 116–126: *Provided*, That the
17 civilian personnel for whom military education and train-
18 ing may be provided under this heading may include civil-
19 ians who are not members of a government whose partici-
20 pation would contribute to improved civil-military rela-
21 tions, civilian control of the military, or respect for human
22 rights: *Provided further*, That of the funds appropriated
23 under this heading, not to exceed \$50,000 may be avail-
24 able for entertainment expenses.

1 FOREIGN MILITARY FINANCING PROGRAM

2 For necessary expenses for grants to enable the
3 President to carry out the provisions of section 23 of the
4 Arms Export Control Act (22 U.S.C. 2763),
5 \$6,156,924,000, of which \$511,909,000, to remain avail-
6 able until September 30, 2021, is designated by the Con-
7 gress for Overseas Contingency Operations/Global War on
8 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
9 anced Budget and Emergency Deficit Control Act of 1985:
10 *Provided*, That to expedite the provision of assistance to
11 foreign countries and international organizations, the Sec-
12 retary of State, following consultation with the Commit-
13 tees on Appropriations and subject to the regular notifica-
14 tion procedures of such Committees, may use the funds
15 appropriated under this heading to procure defense arti-
16 cles and services to enhance the capacity of foreign secu-
17 rity forces: *Provided further*, That of the funds appro-
18 priated under this heading, not less than \$3,300,000,000
19 shall be available for grants only for Israel which shall
20 be disbursed within 30 days of enactment of this Act: *Pro-*
21 *vided further*, That to the extent that the Government of
22 Israel requests that funds be used for such purposes,
23 grants made available for Israel under this heading shall,
24 as agreed by the United States and Israel, be available
25 for advanced weapons systems, of which not less than

1 \$805,300,000 shall be available for the procurement in
2 Israel of defense articles and defense services, including
3 research and development: *Provided further*, That funds
4 appropriated or otherwise made available under this head-
5 ing shall be nonrepayable notwithstanding any require-
6 ment in section 23 of the Arms Export Control Act: *Pro-*
7 *vided further*, That funds made available under this head-
8 ing shall be obligated upon apportionment in accordance
9 with paragraph (5)(C) of section 1501(a) of title 31,
10 United States Code.

11 None of the funds made available under this heading
12 shall be available to finance the procurement of defense
13 articles, defense services, or design and construction serv-
14 ices that are not sold by the United States Government
15 under the Arms Export Control Act unless the foreign
16 country proposing to make such procurement has first
17 signed an agreement with the United States Government
18 specifying the conditions under which such procurement
19 may be financed with such funds: *Provided*, That all coun-
20 try and funding level increases in allocations shall be sub-
21 mitted through the regular notification procedures of sec-
22 tion 7015 of this Act: *Provided further*, That funds made
23 available under this heading may be used, notwithstanding
24 any other provision of law, for demining, the clearance of
25 unexploded ordnance, and related activities, and may in-

1 clude activities implemented through nongovernmental
2 and international organizations: *Provided further*, That
3 only those countries for which assistance was justified for
4 the “Foreign Military Sales Financing Program” in the
5 fiscal year 1989 congressional presentation for security as-
6 sistance programs may utilize funds made available under
7 this heading for procurement of defense articles, defense
8 services, or design and construction services that are not
9 sold by the United States Government under the Arms
10 Export Control Act: *Provided further*, That funds appro-
11 priated under this heading shall be expended at the min-
12 imum rate necessary to make timely payment for defense
13 articles and services: *Provided further*, That not more than
14 \$70,000,000 of the funds appropriated under this heading
15 may be obligated for necessary expenses, including the
16 purchase of passenger motor vehicles for replacement only
17 for use outside of the United States, for the general costs
18 of administering military assistance and sales, except that
19 this limitation may be exceeded only through the regular
20 notification procedures of the Committees on Appropria-
21 tions: *Provided further*, That of the funds made available
22 under this heading for general costs of administering mili-
23 tary assistance and sales, not to exceed \$4,000 may be
24 available for entertainment expenses and not to exceed
25 \$130,000 may be available for representation expenses:

1 *Provided further*, That not more than \$1,082,200,000 of
2 funds realized pursuant to section 21(e)(1)(A) of the Arms
3 Export Control Act (22 U.S.C. 2761(e)(1)(A)) may be ob-
4 ligated for expenses incurred by the Department of De-
5 fense during fiscal year 2020 pursuant to section 43(b)
6 of the Arms Export Control Act (22 U.S.C. 2792(b)), ex-
7 cept that this limitation may be exceeded only through the
8 regular notification procedures of the Committees on Ap-
9 propriations.

1 TITLE V
2 MULTILATERAL ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT

4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5 For necessary expenses to carry out the provisions
6 of section 301 of the Foreign Assistance Act of 1961,
7 \$390,500,000: *Provided*, That section 307(a) of the For-
8 eign Assistance Act of 1961 shall not apply to contribu-
9 tions to the United Nations Democracy Fund: *Provided*
10 *further*, That not later than 60 days after enactment of
11 this Act, such funds shall be made available for core con-
12 tributions for each entity listed in the table under this
13 heading in the explanatory statement described in section
14 4 (in the matter preceding division A of this consolidated
15 Act) unless otherwise provided for in this Act, or if the
16 Secretary of State has justified the proposed uses of funds
17 other than for core contributions following prior consulta-
18 tion with, and subject to the regular notification proce-
19 dures of, the Committees on Appropriations.

20 INTERNATIONAL FINANCIAL INSTITUTIONS

21 GLOBAL ENVIRONMENT FACILITY

22 For payment to the International Bank for Recon-
23 struction and Development as trustee for the Global Envi-
24 ronment Facility by the Secretary of the Treasury,
25 \$139,575,000, to remain available until, and to be fully

1 disbursed not later than, September 30, 2021: *Provided*,
2 That of such amount, \$136,563,000, which shall remain
3 available until September 30, 2020, is only available for
4 the second installment of the seventh replenishment of the
5 Global Environment Facility, and shall be obligated and
6 disbursed not later than 90 days after enactment of this
7 Act: *Provided further*, That the Secretary shall report to
8 the Committees on Appropriations on the status of funds
9 provided under this heading not less than quarterly until
10 fully disbursed: *Provided further*, That in such report the
11 Secretary shall provide a timeline for the obligation and
12 disbursement of any funds that have not yet been obli-
13 gated or disbursed.

14 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
15 RECONSTRUCTION AND DEVELOPMENT

16 For payment to the International Bank for Recon-
17 struction and Development by the Secretary of the Treas-
18 ury for the United States share of the paid-in portion of
19 the increases in capital stock, \$206,500,000, to remain
20 available until expended.

21 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

22 The United States Governor of the International
23 Bank for Reconstruction and Development may subscribe
24 without fiscal year limitation to the callable capital portion

1 of the United States share of increases in capital stock
2 in an amount not to exceed \$1,421,275,728.70.

3 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
4 ASSOCIATION

5 For payment to the International Development Asso-
6 ciation by the Secretary of the Treasury, \$1,097,010,000,
7 to remain available until expended.

8 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

9 For payment to the Asian Development Bank's Asian
10 Development Fund by the Secretary of the Treasury,
11 \$47,395,000, to remain available until expended.

12 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

13 For payment to the African Development Fund by
14 the Secretary of the Treasury, \$171,300,000, to remain
15 available until expended.

16 CONTRIBUTION TO THE INTERNATIONAL FUND FOR
17 AGRICULTURAL DEVELOPMENT

18 For payment to the International Fund for Agricul-
19 tural Development by the Secretary of the Treasury,
20 \$30,000,000, to remain available until, and to be fully dis-
21 bursed no later than, September 30, 2021, for the second
22 installment of the eleventh replenishment of the Inter-
23 national Fund for Agricultural Development: *Provided,*
24 That the Secretary of the Treasury shall report to the
25 Committees on Appropriations on the status of such pay-

1 ment not less than quarterly until fully disbursed: *Pro-*
2 *vided further*, That in such report the Secretary shall pro-
3 vide a timeline for the obligation and disbursement of any
4 funds that have not yet been obligated or disbursed.

1 TITLE VI
2 EXPORT AND INVESTMENT ASSISTANCE
3 EXPORT-IMPORT BANK OF THE UNITED STATES
4 INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector
6 General in carrying out the provisions of the Inspector
7 General Act of 1978 (5 U.S.C. App.), \$5,700,000, of
8 which up to \$855,000 may remain available until Sep-
9 tember 30, 2021.

10 PROGRAM ACCOUNT

11 The Export-Import Bank of the United States is au-
12 thorized to make such expenditures within the limits of
13 funds and borrowing authority available to such corpora-
14 tion, and in accordance with law, and to make such con-
15 tracts and commitments without regard to fiscal year limi-
16 tations, as provided by section 9104 of title 31, United
17 States Code, as may be necessary in carrying out the pro-
18 gram for the current fiscal year for such corporation: *Pro-*
19 *vided*, That none of the funds available during the current
20 fiscal year may be used to make expenditures, contracts,
21 or commitments for the export of nuclear equipment, fuel,
22 or technology to any country, other than a nuclear-weapon
23 state as defined in Article IX of the Treaty on the Non-
24 Proliferation of Nuclear Weapons eligible to receive eco-
25 nomic or military assistance under this Act, that has deto-

1 nated a nuclear explosive after the date of enactment of
2 this Act.

3 ADMINISTRATIVE EXPENSES

4 For administrative expenses to carry out the direct
5 and guaranteed loan and insurance programs, including
6 hire of passenger motor vehicles and services as authorized
7 by section 3109 of title 5, United States Code, and not
8 to exceed \$30,000 for official reception and representation
9 expenses for members of the Board of Directors, not to
10 exceed \$110,000,000, of which up to \$16,500,000 may re-
11 main available until September 30, 2021: *Provided*, That
12 the Export-Import Bank (the Bank) may accept, and use,
13 payment or services provided by transaction participants
14 for legal, financial, or technical services in connection with
15 any transaction for which an application for a loan, guar-
16 antee or insurance commitment has been made: *Provided*
17 *further*, That the Bank shall charge fees for necessary ex-
18 penses (including special services performed on a contract
19 or fee basis, but not including other personal services) in
20 connection with the collection of moneys owed the Bank,
21 repossession or sale of pledged collateral or other assets
22 acquired by the Bank in satisfaction of moneys owed the
23 Bank, or the investigation or appraisal of any property,
24 or the evaluation of the legal, financial, or technical as-
25 pects of any transaction for which an application for a

1 loan, guarantee or insurance commitment has been made,
2 or systems infrastructure directly supporting transactions:
3 *Provided further*, That in addition to other funds appro-
4 priated for administrative expenses, such fees shall be
5 credited to this account for such purposes, to remain avail-
6 able until expended.

7 RECEIPTS COLLECTED

8 Receipts collected pursuant to the Export-Import
9 Bank Act of 1945 (Public Law 79–173) and the Federal
10 Credit Reform Act of 1990, in an amount not to exceed
11 the amount appropriated herein, shall be credited as off-
12 setting collections to this account: *Provided*, That the
13 sums herein appropriated from the General Fund shall be
14 reduced on a dollar-for-dollar basis by such offsetting col-
15 lections so as to result in a final fiscal year appropriation
16 from the General Fund estimated at \$0.

17 UNITED STATES INTERNATIONAL DEVELOPMENT

18 FINANCE CORPORATION

19 INSPECTOR GENERAL

20 For necessary expenses of the Office of Inspector
21 General in carrying out the provisions of the Inspector
22 General Act of 1978 (5 U.S.C. App.), \$2,000,000, to re-
23 main available until September 30, 2021.

1 CORPORATE CAPITAL ACCOUNT

2 The United States International Development Fi-
3 nance Corporation (the Corporation) is authorized to
4 make such expenditures and commitments within the lim-
5 its of funds and borrowing authority available to the Cor-
6 poration, and in accordance with the law, and to make
7 such expenditures and commitments without regard to fis-
8 cal year limitations, as provided by section 9104 of title
9 31, United States Code, as may be necessary in carrying
10 out the programs for the current fiscal year for the Cor-
11 poration: *Provided*, That for necessary expenses of the ac-
12 tivities described in subsections (b), (c), (e), (f), and (g)
13 of section 1421 of the BUILD Act of 2018 (division F
14 of Public Law 115–254) and for administrative expenses
15 to carry out authorized activities and project-specific
16 transaction costs described in section 1434(d) of such Act,
17 \$299,000,000: *Provided further*, That of the amount pro-
18 vided—

19 (1) \$119,000,000 shall remain available until
20 September 30, 2022, for administrative expenses to
21 carry out authorized activities (including an amount
22 for official reception and representation expenses
23 which shall not exceed \$25,000) and project-specific
24 transaction costs as described in section 1434(k) of

1 such Act, of which \$1,000,000 shall remain available
2 until September 30, 2024;

3 (2) \$150,000,000 shall remain available until
4 September 30, 2022, for the activities described in
5 section 1421(c) of such Act, except such amounts
6 obligated in a fiscal year shall remain available for
7 disbursement for the term of the underlying project:
8 *Provided further*, That if the term of the project ex-
9 tends longer than 10 fiscal years, the Chief Execu-
10 tive Officer of the Corporation shall inform the ap-
11 propriate congressional committees prior to the obli-
12 gation or disbursement of funds, as applicable: *Pro-*
13 *vided further*, That amounts may only be obligated
14 after the Chief Executive Officer of the Corporation
15 submits to the appropriate congressional committees
16 the guidelines and criteria required by paragraph (3)
17 of such section; and

18 (3) \$30,000,000 shall be paid to the “United
19 States International Development Finance Corpora-
20 tion—Program Account” for programs authorized
21 by subsections (b), (e), (f), and (g) of section 1421
22 of the BUILD Act of 2018 (division F of Public
23 Law 115–254):

24 *Provided further*, That funds may only be obligated pursu-
25 ant to section 1421(g) of the BUILD Act of 2018 subject

1 to prior consultation with the appropriate congressional
2 committees and the regular notification procedures of the
3 Committees on Appropriations: *Provided further*, That in
4 this fiscal year, and each fiscal year thereafter, the Cor-
5 poration shall collect the amounts described in section
6 1434(h) of the BUILD Act of 2018: *Provided further*,
7 That in fiscal year 2020 such collections shall be credited
8 as offsetting collections to this appropriation: *Provided*
9 *further*, That such collections collected in fiscal year 2020
10 in excess of \$299,000,000 shall be credited to this account
11 and shall be available in future fiscal years only to the
12 extent provided in advance in appropriations Acts: *Pro-*
13 *vided further*, That in fiscal year 2020, if such collections
14 are less than \$299,000,000, receipts collected pursuant to
15 the BUILD Act of 2018 and the Federal Credit Reform
16 Act of 1990, in an amount equal to such shortfall, shall
17 be credited as offsetting collections to this appropriation:
18 *Provided further*, That funds appropriated or otherwise
19 made available under this heading may not be used to pro-
20 vide any type of assistance that is otherwise prohibited
21 by any other provision of law or to provide assistance to
22 any foreign country that is otherwise prohibited by any
23 other provision of law: *Provided further*, That the sums
24 herein appropriated from the General Fund shall be re-
25 duced on a dollar-for-dollar basis by the offsetting collec-

1 tions described under this heading so as to result in a final
2 fiscal year appropriation from the General Fund estimated
3 at \$0.

4 PROGRAM ACCOUNT

5 Amounts paid from “United States International De-
6 velopment Finance Corporation—Corporate Capital Ac-
7 count” (CCA) shall remain available until September 30,
8 2022: *Provided*, That up to \$80,000,000 of amounts paid
9 to this account from CCA or transferred to this account
10 pursuant to section 1434(j) of the BUILD Act of 2018
11 (division F of Public Law 115–254) shall be available for
12 the costs of direct and guaranteed loans provided by the
13 Corporation pursuant to section 1421(b) of such Act: *Pro-*
14 *vided further*, That such costs, including the cost of modi-
15 fying such loans, shall be as defined in section 502 of the
16 Congressional Budget Act of 1974: *Provided further*, That
17 such amounts obligated in a fiscal year shall remain avail-
18 able for disbursement for the following 8 fiscal years: *Pro-*
19 *vided further*, That funds transferred to carry out the For-
20 eign Assistance Act of 1961 pursuant to section 1434(j)
21 of the BUILD Act of 2018 may remain available for obli-
22 gation for 1 additional fiscal year: *Provided further*, That
23 the total loan principal or guaranteed principal amount
24 shall not exceed \$8,000,000,000.

1 TRADE AND DEVELOPMENT AGENCY

2 For necessary expenses to carry out the provisions
3 of section 661 of the Foreign Assistance Act of 1961,
4 \$79,500,000, to remain available until September 30,
5 2021, of which no more than \$19,000,000 may be used
6 for administrative expenses: *Provided*, That of the funds
7 appropriated under this heading, not more than \$5,000
8 may be available for representation and entertainment ex-
9 penses.

1 TITLE VII

2 GENERAL PROVISIONS

3 ALLOWANCES AND DIFFERENTIALS

4 SEC. 7001. Funds appropriated under title I of this
5 Act shall be available, except as otherwise provided, for
6 allowances and differentials as authorized by subchapter
7 59 of title 5, United States Code; for services as author-
8 ized by section 3109 of such title and for hire of passenger
9 transportation pursuant to section 1343(b) of title 31,
10 United States Code.

11 UNOBLIGATED BALANCES REPORT

12 SEC. 7002. Any department or agency of the United
13 States Government to which funds are appropriated or
14 otherwise made available by this Act shall provide to the
15 Committees on Appropriations a quarterly accounting of
16 cumulative unobligated balances and obligated, but unex-
17 pended, balances by program, project, and activity, and
18 Treasury Account Fund Symbol of all funds received by
19 such department or agency in fiscal year 2020 or any pre-
20 vious fiscal year, disaggregated by fiscal year: *Provided*,
21 That the report required by this section shall be submitted
22 not later than 30 days after the end of each fiscal quarter
23 and should specify by account the amount of funds obli-
24 gated pursuant to bilateral agreements which have not
25 been further sub-obligated.

1 CONSULTING SERVICES

2 SEC. 7003. The expenditure of any appropriation
3 under title I of this Act for any consulting service through
4 procurement contract, pursuant to section 3109 of title
5 5, United States Code, shall be limited to those contracts
6 where such expenditures are a matter of public record and
7 available for public inspection, except where otherwise pro-
8 vided under existing law, or under existing Executive order
9 issued pursuant to existing law.

10 DIPLOMATIC FACILITIES

11 SEC. 7004. (a) CAPITAL SECURITY COST SHARING
12 EXCEPTION.—Notwithstanding paragraph (2) of section
13 604(e) of the Secure Embassy Construction and Counter-
14 terrorism Act of 1999 (title VI of division A of H.R. 3427,
15 as enacted into law by section 1000(a)(7) of Public Law
16 106–113 and contained in appendix G of that Act), as
17 amended by section 111 of the Department of State Au-
18 thorities Act, Fiscal Year 2017 (Public Law 114–323), a
19 project to construct a facility of the United States may
20 include office space or other accommodations for members
21 of the United States Marine Corps.

22 (b) NEW DIPLOMATIC FACILITIES.—For the pur-
23 poses of calculating the fiscal year 2020 costs of providing
24 new United States diplomatic facilities in accordance with
25 section 604(e) of the Secure Embassy Construction and

1 Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the
2 Secretary of State, in consultation with the Director of
3 the Office of Management and Budget, shall determine the
4 annual program level and agency shares in a manner that
5 is proportional to the contribution of the Department of
6 State for this purpose.

7 (c) CONSULTATION AND NOTIFICATION.—Funds ap-
8 propriated by this Act and prior Acts making appropria-
9 tions for the Department of State, foreign operations, and
10 related programs, which may be made available for the
11 acquisition of property or award of construction contracts
12 for overseas United States diplomatic facilities during fis-
13 cal year 2020, shall be subject to prior consultation with,
14 and the regular notification procedures of, the Committees
15 on Appropriations: *Provided*, That notifications pursuant
16 to this subsection shall include the information enumer-
17 ated under the heading “Embassy Security, Construction,
18 and Maintenance” in House Report 116–78.

19 (d) INTERIM AND TEMPORARY FACILITIES
20 ABROAD.—

21 (1) SECURITY VULNERABILITIES.—Funds ap-
22 propriated by this Act under the heading “Embassy
23 Security, Construction, and Maintenance” may be
24 made available, following consultation with the ap-
25 propriate congressional committees, to address secu-

1 rity vulnerabilities at interim and temporary United
2 States diplomatic facilities abroad, including physical
3 security upgrades and local guard staffing, except
4 that the amount of funds made available for such
5 purposes from this Act and prior Acts making ap-
6 propriations for the Department of State, foreign
7 operations, and related programs shall be a min-
8 imum of \$25,000,000.

9 (2) CONSULTATION.—Notwithstanding any
10 other provision of law, the opening, closure, or any
11 significant modification to an interim or temporary
12 United States diplomatic facility shall be subject to
13 prior consultation with the appropriate congressional
14 committees and the regular notification procedures
15 of the Committees on Appropriations, except that
16 such consultation and notification may be waived if
17 there is a security risk to personnel.

18 (e) SOFT TARGETS.—Of the funds appropriated by
19 this Act under the heading “Embassy Security, Construc-
20 tion, and Maintenance”, not less than \$10,000,000 shall
21 be made available for security upgrades to soft targets,
22 including schools, recreational facilities, and residences
23 used by United States diplomatic personnel and their de-
24 pendants.

1 PERSONNEL ACTIONS

2 SEC. 7005. Any costs incurred by a department or
3 agency funded under title I of this Act resulting from per-
4 sonnel actions taken in response to funding reductions in-
5 cluded in this Act shall be absorbed within the total budg-
6 etary resources available under title I to such department
7 or agency: *Provided*, That the authority to transfer funds
8 between appropriations accounts as may be necessary to
9 carry out this section is provided in addition to authorities
10 included elsewhere in this Act: *Provided further*, That use
11 of funds to carry out this section shall be treated as a
12 reprogramming of funds under section 7015 of this Act.

13 PROHIBITION ON PUBLICITY OR PROPAGANDA

14 SEC. 7006. No part of any appropriation contained
15 in this Act shall be used for publicity or propaganda pur-
16 poses within the United States not authorized before en-
17 actment of this Act by Congress: *Provided*, That up to
18 \$25,000 may be made available to carry out the provisions
19 of section 316 of the International Security and Develop-
20 ment Cooperation Act of 1980 (Public Law 96–533; 22
21 U.S.C. 2151a note).

22 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
23 COUNTRIES

24 SEC. 7007. None of the funds appropriated or other-
25 wise made available pursuant to titles III through VI of

1 this Act shall be obligated or expended to finance directly
2 any assistance or reparations for the governments of
3 Cuba, North Korea, Iran, or Syria: *Provided*, That for
4 purposes of this section, the prohibition on obligations or
5 expenditures shall include direct loans, credits, insurance,
6 and guarantees of the Export-Import Bank or its agents.

7
8 COUPS D'ÉTAT

8 SEC. 7008. None of the funds appropriated or other-
9 wise made available pursuant to titles III through VI of
10 this Act shall be obligated or expended to finance directly
11 any assistance to the government of any country whose
12 duly elected head of government is deposed by military
13 coup d'état or decree or, after the date of enactment of
14 this Act, a coup d'état or decree in which the military
15 plays a decisive role: *Provided*, That assistance may be re-
16 sumed to such government if the Secretary of State cer-
17 tifies and reports to the appropriate congressional commit-
18 tees that subsequent to the termination of assistance a
19 democratically elected government has taken office: *Pro-*
20 *vided further*, That the provisions of this section shall not
21 apply to assistance to promote democratic elections or
22 public participation in democratic processes: *Provided fur-*
23 *ther*, That funds made available pursuant to the previous
24 provisos shall be subject to the regular notification proce-
25 dures of the Committees on Appropriations.

1 TRANSFER OF FUNDS AUTHORITY

2 SEC. 7009. (a) DEPARTMENT OF STATE AND
3 UNITED STATES AGENCY FOR GLOBAL MEDIA.—

4 (1) DEPARTMENT OF STATE.—

5 (A) IN GENERAL.—Not to exceed 5 percent of
6 any appropriation made available for the current fis-
7 cal year for the Department of State under title I
8 of this Act may be transferred between, and merged
9 with, such appropriations, but no such appropria-
10 tion, except as otherwise specifically provided, shall
11 be increased by more than 10 percent by any such
12 transfers, and no such transfer may be made to in-
13 crease the appropriation under the heading “Rep-
14 resentation Expenses”.

15 (B) EMBASSY SECURITY.—Funds appropriated
16 under the headings “Diplomatic Programs”, includ-
17 ing for Worldwide Security Protection, “Embassy
18 Security, Construction, and Maintenance”, and
19 “Emergencies in the Diplomatic and Consular Serv-
20 ice” in this Act may be transferred to, and merged
21 with, funds appropriated under such headings if the
22 Secretary of State determines and reports to the
23 Committees on Appropriations that to do so is nec-
24 essary to implement the recommendations of the
25 Benghazi Accountability Review Board, for emer-

1 agency evacuations, or to prevent or respond to secu-
2 rity situations and requirements, following consulta-
3 tion with, and subject to the regular notification pro-
4 cedures of, such Committees: *Provided*, That such
5 transfer authority is in addition to any transfer au-
6 thority otherwise available in this Act and under any
7 other provision of law.

8 (2) UNITED STATES AGENCY FOR GLOBAL MEDIA.—
9 Not to exceed 5 percent of any appropriation made avail-
10 able for the current fiscal year for the United States Agen-
11 cy for Global Media under title I of this Act may be trans-
12 ferred between, and merged with, such appropriations, but
13 no such appropriation, except as otherwise specifically pro-
14 vided, shall be increased by more than 10 percent by any
15 such transfers.

16 (3) TREATMENT AS REPROGRAMMING.—Any transfer
17 pursuant to this subsection shall be treated as a re-
18 programming of funds under section 7015 of this Act and
19 shall not be available for obligation or expenditure except
20 in compliance with the procedures set forth in that section.

21 (b) LIMITATION ON TRANSFERS OF FUNDS BE-
22 TWEEN AGENCIES.—

23 (1) IN GENERAL.—None of the funds made
24 available under titles II through V of this Act may
25 be transferred to any department, agency, or instru-

1 mentality of the United States Government, except
2 pursuant to a transfer made by, or transfer author-
3 ity provided in, this Act or any other appropriations
4 Act.

5 (2) ALLOCATION AND TRANSFERS.—Notwith-
6 standing paragraph (1), in addition to transfers
7 made by, or authorized elsewhere in, this Act, funds
8 appropriated by this Act to carry out the purposes
9 of the Foreign Assistance Act of 1961 may be allo-
10 cated or transferred to agencies of the United States
11 Government pursuant to the provisions of sections
12 109, 610, and 632 of the Foreign Assistance Act of
13 1961, and section 1434(j) of the BUILD Act of
14 2018 (division F of Public Law 115–254).

15 (3) NOTIFICATION.—Any agreement entered
16 into by the United States Agency for International
17 Development or the Department of State with any
18 department, agency, or instrumentality of the United
19 States Government pursuant to section 632(b) of the
20 Foreign Assistance Act of 1961 valued in excess of
21 \$1,000,000 and any agreement made pursuant to
22 section 632(a) of such Act, with funds appropriated
23 by this Act or prior Acts making appropriations for
24 the Department of State, foreign operations, and re-
25 lated programs under the headings “Global Health

1 Programs”, “Development Assistance”, “Economic
2 Support Fund”, and “Assistance for Europe, Eur-
3 asia and Central Asia” shall be subject to the reg-
4 ular notification procedures of the Committees on
5 Appropriations: *Provided*, That the requirement in
6 the previous sentence shall not apply to agreements
7 entered into between USAID and the Department of
8 State.

9 (c) UNITED STATES INTERNATIONAL DEVELOPMENT
10 FINANCE CORPORATION.—

11 (1) LIMITATION.—Amounts transferred pursu-
12 ant to section 1434(j) of the BUILD Act of 2018
13 (division F of Public Law 115–254) may only be
14 transferred from funds made available under title III
15 of this Act, and such amounts shall not exceed
16 \$50,000,000: *Provided*, That any such transfers
17 shall be subject to prior consultation with, and the
18 regular notification procedures of, the Committees
19 on Appropriations: *Provided further*, That the Sec-
20 retary of State, the Administrator of the United
21 States Agency for International Development, and
22 the Chief Executive Officer of the United States
23 International Development Finance Corporation (the
24 Corporation), as appropriate, shall ensure that the
25 programs funded by such transfers are coordinated

1 with, and complement, foreign assistance programs
2 implemented by the Department of State and
3 USAID: *Provided further*, That no funds transferred
4 pursuant to such authority may be used by the Cor-
5 poration to post personnel abroad or for activities
6 described in section 1421(c) of such Act.

7 (2) DEVELOPMENT CREDIT AUTHORITY AC-
8 COUNT.—Funds transferred from the Development
9 Credit Authority program account of the United
10 States Agency for International Development to the
11 Corporate Capital Account of the United States
12 International Development Finance Corporation pur-
13 suant to section 1434(i) of the BUILD Act of 2018
14 (division F of Public Law 115–254) shall be trans-
15 ferred to, and merged with, such account, and may
16 thereafter be deemed to meet any minimum funding
17 requirements attributed for at the time of deposit
18 into the Development Credit Authority program ac-
19 count.

20 (d) TRANSFER OF FUNDS BETWEEN ACCOUNTS.—
21 None of the funds made available under titles II through
22 V of this Act may be obligated under an appropriations
23 account to which such funds were not appropriated, except
24 for transfers specifically provided for in this Act, unless
25 the President, not less than 5 days prior to the exercise

1 of any authority contained in the Foreign Assistance Act
2 of 1961 to transfer funds, consults with and provides a
3 written policy justification to the Committees on Appro-
4 priations.

5 (e) AUDIT OF INTER-AGENCY TRANSFERS OF
6 FUNDS.—Any agreement for the transfer or allocation of
7 funds appropriated by this Act or prior Acts making ap-
8 propriations for the Department of State, foreign oper-
9 ations, and related programs entered into between the De-
10 partment of State or USAID and another agency of the
11 United States Government under the authority of section
12 632(a) of the Foreign Assistance Act of 1961, or any com-
13 parable provision of law, shall expressly provide that the
14 Inspector General (IG) for the agency receiving the trans-
15 fer or allocation of such funds, or other entity with audit
16 responsibility if the receiving agency does not have an IG,
17 shall perform periodic program and financial audits of the
18 use of such funds and report to the Department of State
19 or USAID, as appropriate, upon completion of such au-
20 dits: *Provided*, That such audits shall be transmitted to
21 the Committees on Appropriations by the Department of
22 State or USAID, as appropriate: *Provided further*, That
23 funds transferred under such authority may be made
24 available for the cost of such audits.

1 (f) TRANSFER OF OVERSEAS CONTINGENCY OPER-
2 ATIONS/GLOBAL WAR ON TERRORISM FUNDS.—Funds ap-
3 propriated by this Act under the headings “Peacekeeping
4 Operations” and “Foreign Military Financing Program”
5 that are designated by the Congress for Overseas Contin-
6 gency Operations/Global War on Terrorism pursuant to
7 section 251(b)(2)(A)(ii) of the Balanced Budget and
8 Emergency Deficit Control Act of 1985 may be trans-
9 ferred to, and merged with, such funds appropriated under
10 such headings: *Provided*, That such transfer authority
11 may only be exercised to address contingencies: *Provided*
12 *further*, That such transfer authority is in addition to any
13 transfer authority otherwise available under any other pro-
14 vision of law, including section 610 of the Foreign Assist-
15 ance Act of 1961: *Provided further*, That such transfer
16 authority shall be subject to prior consultation with, and
17 the regular notification procedures of, the Committees on
18 Appropriations.

19 PROHIBITION AND LIMITATION ON CERTAIN EXPENSES

20 SEC. 7010. (a) FIRST-CLASS TRAVEL.—None of the
21 funds made available by this Act may be used for first-
22 class travel by employees of United States Government de-
23 partments and agencies funded by this Act in contraven-
24 tion of section 301–10.122 through 301–10.124 of title
25 41, Code of Federal Regulations.

1 (b) COMPUTER NETWORKS.—None of the funds
2 made available by this Act for the operating expenses of
3 any United States Government department or agency may
4 be used to establish or maintain a computer network for
5 use by such department or agency unless such network
6 has filters designed to block access to sexually explicit
7 websites: *Provided*, That nothing in this subsection shall
8 limit the use of funds necessary for any Federal, State,
9 tribal, or local law enforcement agency, or any other entity
10 carrying out the following activities: criminal investiga-
11 tions, prosecutions, and adjudications; administrative dis-
12 cipline; and the monitoring of such websites undertaken
13 as part of official business.

14 (c) PROHIBITION ON PROMOTION OF TOBACCO.—
15 None of the funds made available by this Act shall be
16 available to promote the sale or export of tobacco or to-
17 bacco products, or to seek the reduction or removal by any
18 foreign country of restrictions on the marketing of tobacco
19 or tobacco products, except for restrictions which are not
20 applied equally to all tobacco or tobacco products of the
21 same type.

22 (d) EMAIL SERVERS OUTSIDE THE .GOV DOMAIN.—
23 None of the funds appropriated by this Act under the
24 headings “Diplomatic Programs” and “Capital Invest-
25 ment Fund” in title I, and “Operating Expenses” and

1 “Capital Investment Fund” in title II that are made avail-
2 able to the Department of State and the United States
3 Agency for International Development may be made avail-
4 able to support the use or establishment of email accounts
5 or email servers created outside the .gov domain or not
6 fitted for automated records management as part of a
7 Federal government records management program in con-
8 travention of the Presidential and Federal Records Act
9 Amendments of 2014 (Public Law 113–187).

10 (e) REPRESENTATION AND ENTERTAINMENT EX-
11 PENSES.—Each Federal department, agency, or entity
12 funded in titles I or II of this Act, and the Department
13 of the Treasury and independent agencies funded in titles
14 III or VI of this Act, shall take steps to ensure that do-
15 mestic and overseas representation and entertainment ex-
16 penses further official agency business and United States
17 foreign policy interests, and—

18 (1) are primarily for fostering relations outside
19 of the Executive Branch;

20 (2) are principally for meals and events of a
21 protocol nature;

22 (3) are not for employee-only events; and

23 (4) do not include activities that are substan-
24 tially of a recreational character.

1 (f) LIMITATIONS ON ENTERTAINMENT EXPENSES.—
2 None of the funds appropriated or otherwise made avail-
3 able by this Act under the headings “International Mili-
4 tary Education and Training” or “Foreign Military Fi-
5 nancing Program” for Informational Program activities or
6 under the headings “Global Health Programs”, “Develop-
7 ment Assistance”, “Economic Support Fund”, and “As-
8 sistance for Europe, Eurasia and Central Asia” may be
9 obligated or expended to pay for—

10 (1) alcoholic beverages; or

11 (2) entertainment expenses for activities that
12 are substantially of a recreational character, includ-
13 ing entrance fees at sporting events, theatrical and
14 musical productions, and amusement parks.

15 AVAILABILITY OF FUNDS

16 SEC. 7011. No part of any appropriation contained
17 in this Act shall remain available for obligation after the
18 expiration of the current fiscal year unless expressly so
19 provided by this Act: *Provided*, That funds appropriated
20 for the purposes of chapters 1 and 8 of part I, section
21 661, chapters 4, 5, 6, 8, and 9 of part II of the Foreign
22 Assistance Act of 1961, section 23 of the Arms Export
23 Control Act (22 U.S.C. 2763), and funds made available
24 for “United States International Development Finance
25 Corporation” and under the heading “Assistance for Eu-

1 rope, Eurasia and Central Asia” shall remain available for
2 an additional 4 years from the date on which the avail-
3 ability of such funds would otherwise have expired, if such
4 funds are initially obligated before the expiration of their
5 respective periods of availability contained in this Act:
6 *Provided further*, That notwithstanding any other provi-
7 sion of this Act, any funds made available for the purposes
8 of chapter 1 of part I and chapter 4 of part II of the
9 Foreign Assistance Act of 1961 which are allocated or ob-
10 ligated for cash disbursements in order to address balance
11 of payments or economic policy reform objectives, shall re-
12 main available for an additional 4 years from the date on
13 which the availability of such funds would otherwise have
14 expired, if such funds are initially allocated or obligated
15 before the expiration of their respective periods of avail-
16 ability contained in this Act: *Provided further*, That the
17 Secretary of State shall provide a report to the Commit-
18 tees on Appropriations not later than October 31, 2020,
19 detailing by account and source year, the use of this au-
20 thority during the previous fiscal year.

21 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

22 SEC. 7012. No part of any appropriation provided
23 under titles III through VI in this Act shall be used to
24 furnish assistance to the government of any country which
25 is in default during a period in excess of 1 calendar year

1 in payment to the United States of principal or interest
2 on any loan made to the government of such country by
3 the United States pursuant to a program for which funds
4 are appropriated under this Act unless the President de-
5 termines, following consultation with the Committees on
6 Appropriations, that assistance for such country is in the
7 national interest of the United States.

8 PROHIBITION ON TAXATION OF UNITED STATES

9 ASSISTANCE

10 SEC. 7013. (a) PROHIBITION ON TAXATION.—None
11 of the funds appropriated under titles III through VI of
12 this Act may be made available to provide assistance for
13 a foreign country under a new bilateral agreement gov-
14 erning the terms and conditions under which such assist-
15 ance is to be provided unless such agreement includes a
16 provision stating that assistance provided by the United
17 States shall be exempt from taxation, or reimbursed, by
18 the foreign government, and the Secretary of State and
19 the Administrator of the United States Agency for Inter-
20 national Development shall expeditiously seek to negotiate
21 amendments to existing bilateral agreements, as nec-
22 essary, to conform with this requirement.

23 (b) NOTIFICATION AND REIMBURSEMENT OF FOR-
24 EIGN TAXES.—An amount equivalent to 200 percent of
25 the total taxes assessed during fiscal year 2020 on funds

1 appropriated by this Act and prior Acts making appropria-
2 tions for the Department of State, foreign operations, and
3 related programs by a foreign government or entity
4 against United States assistance programs, either directly
5 or through grantees, contractors, and subcontractors, shall
6 be withheld from obligation from funds appropriated for
7 assistance for fiscal year 2021 and for prior fiscal years
8 and allocated for the central government of such country
9 or for the West Bank and Gaza program, as applicable,
10 if, not later than September 30, 2021, such taxes have
11 not been reimbursed: *Provided*, That the Secretary of
12 State shall report to the Committees on Appropriations
13 by such date on the foreign governments and entities that
14 have not reimbursed such taxes, including any amount of
15 funds withheld pursuant to this subsection.

16 (c) DE MINIMIS EXCEPTION.—Foreign taxes of a de
17 minimis nature shall not be subject to the provisions of
18 subsection (b).

19 (d) REPROGRAMMING OF FUNDS.—Funds withheld
20 from obligation for each foreign government or entity pur-
21 suant to subsection (b) shall be reprogrammed for assist-
22 ance for countries which do not assess taxes on United
23 States assistance or which have an effective arrangement
24 that is providing substantial reimbursement of such taxes,

1 and that can reasonably accommodate such assistance in
2 a programmatically responsible manner.

3 (e) DETERMINATIONS.—

4 (1) IN GENERAL.—The provisions of this sec-
5 tion shall not apply to any foreign government or en-
6 tity that assesses such taxes if the Secretary of
7 State reports to the Committees on Appropriations
8 that—

9 (A) such foreign government or entity has
10 an effective arrangement that is providing sub-
11 stantial reimbursement of such taxes; or

12 (B) the foreign policy interests of the
13 United States outweigh the purpose of this sec-
14 tion to ensure that United States assistance is
15 not subject to taxation.

16 (2) CONSULTATION.—The Secretary of State
17 shall consult with the Committees on Appropriations
18 at least 15 days prior to exercising the authority of
19 this subsection with regard to any foreign govern-
20 ment or entity.

21 (f) IMPLEMENTATION.—The Secretary of State shall
22 issue and update rules, regulations, or policy guidance, as
23 appropriate, to implement the prohibition against the tax-
24 ation of assistance contained in this section.

25 (g) DEFINITIONS.—As used in this section:

1 specifically designated may be reprogrammed for other
2 programs within the same account notwithstanding the
3 designation if compliance with the designation is made im-
4 possible by operation of any provision of this or any other
5 Act: *Provided*, That any such reprogramming shall be sub-
6 ject to the regular notification procedures of the Commit-
7 tees on Appropriations: *Provided further*, That assistance
8 that is reprogrammed pursuant to this subsection shall be
9 made available under the same terms and conditions as
10 originally provided.

11 (b) EXTENSION OF AVAILABILITY.—In addition to
12 the authority contained in subsection (a), the original pe-
13 riod of availability of funds appropriated by this Act and
14 administered by the Department of State or the United
15 States Agency for International Development that are spe-
16 cifically designated for particular programs or activities by
17 this or any other Act may be extended for an additional
18 fiscal year if the Secretary of State or the USAID Admin-
19 istrator, as appropriate, determines and reports promptly
20 to the Committees on Appropriations that the termination
21 of assistance to a country or a significant change in cir-
22 cumstances makes it unlikely that such designated funds
23 can be obligated during the original period of availability:
24 *Provided*, That such designated funds that continue to be

1 available for an additional fiscal year shall be obligated
2 only for the purpose of such designation.

3 (c) OTHER ACTS.—Ceilings and specifically des-
4 igned funding levels contained in this Act shall not be
5 applicable to funds or authorities appropriated or other-
6 wise made available by any subsequent Act unless such
7 Act specifically so directs: *Provided*, That specifically des-
8 igned funding levels or minimum funding requirements
9 contained in any other Act shall not be applicable to funds
10 appropriated by this Act.

11 NOTIFICATION REQUIREMENTS

12 SEC. 7015. (a) NOTIFICATION OF CHANGES IN PRO-
13 GRAMS, PROJECTS, AND ACTIVITIES.—None of the funds
14 made available in titles I and II of this Act or prior Acts
15 making appropriations for the Department of State, for-
16 eign operations, and related programs to the departments
17 and agencies funded by this Act that remain available for
18 obligation in fiscal year 2020, or provided from any ac-
19 counts in the Treasury of the United States derived by
20 the collection of fees or of currency reflows or other offset-
21 ting collections, or made available by transfer, to the de-
22 partments and agencies funded by this Act, shall be avail-
23 able for obligation to—

24 (1) create new programs;

1 (2) suspend or eliminate a program, project, or
2 activity;

3 (3) close, suspend, open, or reopen a mission or
4 post;

5 (4) create, close, reorganize, downsize, or re-
6 name bureaus, centers, or offices; or

7 (5) contract out or privatize any functions or
8 activities presently performed by Federal employees;
9 unless previously justified to the Committees on Appro-
10 priations or such Committees are notified 15 days in ad-
11 vance of such obligation.

12 (b) NOTIFICATION OF REPROGRAMMING OF
13 FUNDS.—None of the funds provided under titles I and
14 II of this Act or prior Acts making appropriations for the
15 Department of State, foreign operations, and related pro-
16 grams, to the departments and agencies funded under ti-
17 tles I and II of this Act that remain available for obliga-
18 tion in fiscal year 2020, or provided from any accounts
19 in the Treasury of the United States derived by the collec-
20 tion of fees available to the department and agency funded
21 under title I of this Act, shall be available for obligation
22 or expenditure for programs, projects, or activities
23 through a reprogramming of funds in excess of
24 \$1,000,000 or 10 percent, whichever is less, that—

1 (1) augments or changes existing programs,
2 projects, or activities;

3 (2) relocates an existing office or employees;

4 (3) reduces by 10 percent funding for any exist-
5 ing program, project, or activity, or numbers of per-
6 sonnel by 10 percent as approved by Congress; or

7 (4) results from any general savings, including
8 savings from a reduction in personnel, which would
9 result in a change in existing programs, projects, or
10 activities as approved by Congress;

11 unless the Committees on Appropriations are notified 15
12 days in advance of such reprogramming of funds.

13 (c) NOTIFICATION REQUIREMENT.—None of the
14 funds made available by this Act under the headings
15 “Global Health Programs”, “Development Assistance”,
16 “International Organizations and Programs”, “Trade and
17 Development Agency”, “International Narcotics Control
18 and Law Enforcement”, “Economic Support Fund”, “De-
19 mocracy Fund”, “Assistance for Europe, Eurasia and
20 Central Asia”, “Peacekeeping Operations”, “Non-
21 proliferation, Anti-terrorism, Demining and Related Pro-
22 grams”, “Millennium Challenge Corporation”, “Foreign
23 Military Financing Program”, “International Military
24 Education and Training”, “United States International
25 Development Finance Corporation”, and “Peace Corps”,

1 shall be available for obligation for programs, projects, ac-
2 tivities, type of materiel assistance, countries, or other op-
3 erations not justified or in excess of the amount justified
4 to the Committees on Appropriations for obligation under
5 any of these specific headings unless the Committees on
6 Appropriations are notified 15 days in advance of such
7 obligation: *Provided*, That the President shall not enter
8 into any commitment of funds appropriated for the pur-
9 poses of section 23 of the Arms Export Control Act for
10 the provision of major defense equipment, other than con-
11 ventional ammunition, or other major defense items de-
12 fined to be aircraft, ships, missiles, or combat vehicles, not
13 previously justified to Congress or 20 percent in excess
14 of the quantities justified to Congress unless the Commit-
15 tees on Appropriations are notified 15 days in advance of
16 such commitment: *Provided further*, That requirements of
17 this subsection or any similar provision of this or any
18 other Act shall not apply to any reprogramming for a pro-
19 gram, project, or activity for which funds are appropriated
20 under titles III through VI of this Act of less than 10
21 percent of the amount previously justified to Congress for
22 obligation for such program, project, or activity for the
23 current fiscal year: *Provided further*, That any notification
24 submitted pursuant to subsection (f) of this section shall
25 include information (if known on the date of transmittal

1 of such notification) on the use of notwithstanding author-
2 ity.

3 (d) DEPARTMENT OF DEFENSE PROGRAMS AND
4 FUNDING NOTIFICATIONS.—

5 (1) PROGRAMS.—None of the funds appro-
6 priated by this Act or prior Acts making appropria-
7 tions for the Department of State, foreign oper-
8 ations, and related programs may be made available
9 to support or continue any program initially funded
10 under any authority of title 10, United States Code,
11 or any Act making or authorizing appropriations for
12 the Department of Defense, unless the Secretary of
13 State, in consultation with the Secretary of Defense
14 and in accordance with the regular notification pro-
15 cedures of the Committees on Appropriations, sub-
16 mits a justification to such Committees that includes
17 a description of, and the estimated costs associated
18 with, the support or continuation of such program.

19 (2) FUNDING.—Notwithstanding any other pro-
20 vision of law, funds transferred by the Department
21 of Defense to the Department of State and the
22 United States Agency for International Development
23 for assistance for foreign countries and international
24 organizations shall be subject to the regular notifica-

1 tion procedures of the Committees on Appropria-
2 tions.

3 (3) NOTIFICATION ON EXCESS DEFENSE ARTI-
4 CLES.—Prior to providing excess Department of De-
5 fense articles in accordance with section 516(a) of
6 the Foreign Assistance Act of 1961, the Department
7 of Defense shall notify the Committees on Appro-
8 priations to the same extent and under the same
9 conditions as other committees pursuant to sub-
10 section (f) of that section: *Provided*, That before
11 issuing a letter of offer to sell excess defense articles
12 under the Arms Export Control Act, the Department
13 of Defense shall notify the Committees on Appro-
14 priations in accordance with the regular notification
15 procedures of such Committees if such defense arti-
16 cles are significant military equipment (as defined in
17 section 47(9) of the Arms Export Control Act) or
18 are valued (in terms of original acquisition cost) at
19 \$7,000,000 or more, or if notification is required
20 elsewhere in this Act for the use of appropriated
21 funds for specific countries that would receive such
22 excess defense articles: *Provided further*, That such
23 Committees shall also be informed of the original ac-
24 quisition cost of such defense articles.

1 (e) WAIVER.—The requirements of this section or
2 any similar provision of this Act or any other Act, includ-
3 ing any prior Act requiring notification in accordance with
4 the regular notification procedures of the Committees on
5 Appropriations, may be waived if failure to do so would
6 pose a substantial risk to human health or welfare: *Pro-*
7 *vided*, That in case of any such waiver, notification to the
8 Committees on Appropriations shall be provided as early
9 as practicable, but in no event later than 3 days after tak-
10 ing the action to which such notification requirement was
11 applicable, in the context of the circumstances necessi-
12 tating such waiver: *Provided further*, That any notification
13 provided pursuant to such a waiver shall contain an expla-
14 nation of the emergency circumstances.

15 (f) COUNTRY NOTIFICATION REQUIREMENTS.—None
16 of the funds appropriated under titles III through VI of
17 this Act may be obligated or expended for assistance for
18 Afghanistan, Bahrain, Burma, Cambodia, Colombia,
19 Cuba, Egypt, El Salvador, Ethiopia, Guatemala, Haiti,
20 Honduras, Iran, Iraq, Lebanon, Libya, Mexico, Nica-
21 ragua, Pakistan, Philippines, the Russian Federation, So-
22 malia, South Sudan, Sri Lanka, Sudan, Syria,
23 Uzbekistan, Venezuela, Yemen, and Zimbabwe except as
24 provided through the regular notification procedures of the
25 Committees on Appropriations.

1 (g) TRUST FUNDS.—Funds appropriated or other-
2 wise made available in title III of this Act and prior Acts
3 making funds available for the Department of State, for-
4 eign operations, and related programs that are made avail-
5 able for a trust fund held by an international financial
6 institution shall be subject to the regular notification pro-
7 cedures of the Committees on Appropriations and such no-
8 tification shall include the information specified under this
9 section in House Report 116–78.

10 (h) OTHER PROGRAM NOTIFICATION REQUIRE-
11 MENT.—

12 (1) DIPLOMATIC PROGRAMS.—Funds appro-
13 priated under title I of this Act under the heading
14 “Diplomatic Programs” that are made available for
15 lateral entry into the Foreign Service shall be sub-
16 ject to prior consultation with, and the regular noti-
17 fication procedures of, the Committees on Appro-
18 priations.

19 (2) OTHER PROGRAMS.—Funds appropriated by
20 this Act that are made available for the following
21 programs and activities shall be subject to the reg-
22 ular notification procedures of the Committees on
23 Appropriations:

24 (A) the Global Engagement Center, except
25 that the Secretary of State shall consult with

1 the appropriate congressional committees prior
2 to submitting such notification;

3 (B) the Power Africa initiative, or any suc-
4 cessor program;

5 (C) community-based police assistance con-
6 ducted pursuant to the authority of section
7 7035(a)(1) of this Act;

8 (D) the Relief and Recovery Fund and the
9 Global Fragility Fund, if enacted into law;

10 (E) the Indo-Pacific Strategy and the
11 Countering Chinese Influence Fund;

12 (F) the Global Security Contingency Fund;

13 (G) the Countering Russian Influence
14 Fund;

15 (H) programs to end modern slavery; and

16 (I) the Women’s Global Development and
17 Prosperity Fund.

18 (i) WITHHOLDING OF FUNDS.—Funds appropriated
19 by this Act under titles III and IV that are withheld from
20 obligation or otherwise not programmed as a result of ap-
21 plication of a provision of law in this or any other Act
22 shall, if reprogrammed, be subject to the regular notifica-
23 tion procedures of the Committees on Appropriations.

24 (j) FOREIGN ASSISTANCE REVIEW OR REALIGN-
25 MENT.—Programmatic, funding, and organizational

1 changes resulting from implementation of any foreign as-
2 sistance review or realignment shall be subject to prior
3 consultation with, and the regular notification procedures
4 of, the Committees on Appropriations: *Provided*, That
5 such notifications may be submitted in classified form, if
6 necessary.

7 DOCUMENT REQUESTS, RECORDS MANAGEMENT, AND
8 RELATED CYBERSECURITY PROTECTIONS

9 SEC. 7016. (a) DOCUMENT REQUESTS.—None of the
10 funds appropriated or made available pursuant to titles
11 III through VI of this Act shall be available to a non-
12 governmental organization, including any contractor,
13 which fails to provide upon timely request any document,
14 file, or record necessary to the auditing requirements of
15 the Department of State and the United States Agency
16 for International Development.

17 (b) RECORDS MANAGEMENT AND RELATED
18 CYBERSECURITY PROTECTIONS.—The Secretary of State
19 and USAID Administrator shall—

20 (1) regularly review and update the policies, di-
21 rectives, and oversight necessary to comply with
22 Federal statutes, regulations, and presidential execu-
23 tive orders and memoranda concerning the preserva-
24 tion of all records made or received in the conduct

1 of official business, including record emails, instant
2 messaging, and other online tools;

3 (2) use funds appropriated by this Act under
4 the headings “Diplomatic Programs” and “Capital
5 Investment Fund” in title I, and “Operating Ex-
6 penses” and “Capital Investment Fund” in title II,
7 as appropriate, to improve Federal records manage-
8 ment pursuant to the Federal Records Act (44
9 U.S.C. Chapters 21, 29, 31, and 33) and other ap-
10 plicable Federal records management statutes, regu-
11 lations, or policies for the Department of State and
12 USAID;

13 (3) direct departing employees, including senior
14 officials, that all Federal records generated by such
15 employees belong to the Federal Government;

16 (4) improve the response time for identifying
17 and retrieving Federal records, including requests
18 made pursuant to section 552 of title 5, United
19 States Code (commonly known as the “Freedom of
20 Information Act”); and

21 (5) strengthen cybersecurity measures to miti-
22 gate vulnerabilities, including those resulting from
23 the use of personal email accounts or servers outside
24 the .gov domain, improve the process to identify and
25 remove inactive user accounts, update and enforce

1 guidance related to the control of national security
2 information, and implement the recommendations of
3 the applicable reports of the cognizant Office of In-
4 spector General.

5 USE OF FUNDS IN CONTRAVENTION OF THIS ACT

6 SEC. 7017. If the President makes a determination
7 not to comply with any provision of this Act on constitu-
8 tional grounds, the head of the relevant Federal agency
9 shall notify the Committees on Appropriations in writing
10 within 5 days of such determination, the basis for such
11 determination and any resulting changes to program or
12 policy.

13 PROHIBITION ON FUNDING FOR ABORTIONS AND
14 INVOLUNTARY STERILIZATION

15 SEC. 7018. None of the funds made available to carry
16 out part I of the Foreign Assistance Act of 1961, as
17 amended, may be used to pay for the performance of abor-
18 tions as a method of family planning or to motivate or
19 coerce any person to practice abortions. None of the funds
20 made available to carry out part I of the Foreign Assist-
21 ance Act of 1961, as amended, may be used to pay for
22 the performance of involuntary sterilization as a method
23 of family planning or to coerce or provide any financial
24 incentive to any person to undergo sterilizations. None of
25 the funds made available to carry out part I of the Foreign

1 Assistance Act of 1961, as amended, may be used to pay
2 for any biomedical research which relates in whole or in
3 part, to methods of, or the performance of, abortions or
4 involuntary sterilization as a means of family planning.
5 None of the funds made available to carry out part I of
6 the Foreign Assistance Act of 1961, as amended, may be
7 obligated or expended for any country or organization if
8 the President certifies that the use of these funds by any
9 such country or organization would violate any of the
10 above provisions related to abortions and involuntary steri-
11 lizations.

12 ALLOCATIONS AND REPORTS

13 SEC. 7019. (a) ALLOCATION TABLES.—Subject to
14 subsection (b), funds appropriated by this Act under titles
15 III through V shall be made available at not less than the
16 amounts specifically designated in the respective tables in-
17 cluded in the explanatory statement described in section
18 4 (in the matter preceding division A of this consolidated
19 Act): *Provided*, That such designated amounts for foreign
20 countries and international organizations shall serve as
21 the amounts for such countries and international organi-
22 zations transmitted to Congress in the report required by
23 section 653(a) of the Foreign Assistance Act of 1961, and
24 shall be made available for such foreign countries and

1 international organizations notwithstanding the date of
2 the transmission of such report.

3 (b) AUTHORIZED DEVIATIONS BELOW MINIMUM
4 LEVELS.—Unless otherwise provided for by this Act, the
5 Secretary of State and the Administrator of the United
6 States Agency for International Development, as applica-
7 ble, may deviate by not more than 10 percent below the
8 minimum amounts specifically designated in the respective
9 tables in the explanatory statement described in section
10 4 (in the matter preceding division A of this consolidated
11 Act): *Provided*, That deviations pursuant to this sub-
12 section shall be subject to prior consultation with the Com-
13 mittees on Appropriations.

14 (c) LIMITATION.—For specifically designated
15 amounts that are included, pursuant to subsection (a), in
16 the report required by section 653(a) of the Foreign As-
17 sistance Act of 1961, deviations authorized by subsection
18 (b) may only take place after submission of such report.

19 (d) EXCEPTIONS.—

20 (1) Subsections (a) and (b) shall not apply to—

21 (A) amounts designated for “International
22 Military Education and Training” in the re-
23 spective tables included in the explanatory
24 statement described in section 4 (in the matter
25 preceding division A of this consolidated Act);

1 (B) funds for which the initial period of
2 availability has expired; and

3 (C) amounts designated by this Act as
4 minimum funding requirements.

5 (2) The authority in subsection (b) to deviate
6 below amounts designated in the respective tables in-
7 cluded in the explanatory statement described in sec-
8 tion 4 (in the matter preceding division A of this
9 consolidated Act) shall not apply to the table in-
10 cluded under the heading “Global Health Programs”
11 in such statement.

12 (3) With respect to the amounts designated for
13 “Global Programs” in the table under the heading
14 “Economic Support Fund” included in the explana-
15 tory statement described in section 4 (in the matter
16 preceding division A of this consolidated Act), sub-
17 section (b) shall be applied by substituting “5 per-
18 cent” for “10 percent”.

19 (e) REPORTS.—The Secretary of State, USAID Ad-
20 ministrator, and other designated officials, as appropriate,
21 shall submit the reports required, in the manner described,
22 in House Report 116–78, Senate Report 116–126, and the
23 explanatory statement described in section 4 (in the mat-
24 ter preceding division A of this consolidated Act), unless
25 directed otherwise in such explanatory statement.

1 (f) CLARIFICATION.—Funds appropriated by this Act
2 and the Department of State, Foreign Operations, and
3 Related Programs Appropriations Act, 2019 (division F
4 of Public Law 116–6) under the headings “International
5 Disaster Assistance” and “Migration and Refugee Assist-
6 ance” shall not be included for purposes of meeting
7 amounts designated for countries in this Act or the ex-
8 planatory statement described in section 4 (in the matter
9 preceding division A of this consolidated Act), or such
10 prior Act or accompanying joint explanatory statement,
11 unless such headings are specifically designated as the
12 source of funds.

13 MULTI-YEAR PLEDGES

14 SEC. 7020. None of the funds appropriated by this
15 Act may be used to make any pledge for future year fund-
16 ing for any multilateral or bilateral program funded in ti-
17 tles III through VI of this Act unless such pledge meets
18 the requirements enumerated under this section in House
19 Report 116–78.

20 PROHIBITION ON ASSISTANCE TO GOVERNMENTS

21 SUPPORTING INTERNATIONAL TERRORISM

22 SEC. 7021. (a) LETHAL MILITARY EQUIPMENT EX-
23 PORTS.—

24 (1) PROHIBITION.—None of the funds appro-
25 priated or otherwise made available under titles III

1 through VI of this Act may be made available to any
2 foreign government which provides lethal military
3 equipment to a country the government of which the
4 Secretary of State has determined supports inter-
5 national terrorism for purposes of section 1754(c) of
6 the Export Reform Control Act of 2018 (50 U.S.C.
7 4813(c)): *Provided*, That the prohibition under this
8 section with respect to a foreign government shall
9 terminate 12 months after that government ceases
10 to provide such military equipment: *Provided further*,
11 That this section applies with respect to lethal mili-
12 tary equipment provided under a contract entered
13 into after October 1, 1997.

14 (2) DETERMINATION.—Assistance restricted by
15 paragraph (1) or any other similar provision of law,
16 may be furnished if the President determines that to
17 do so is important to the national interest of the
18 United States.

19 (3) REPORT.—Whenever the President makes a
20 determination pursuant to paragraph (2), the Presi-
21 dent shall submit to the Committees on Appropria-
22 tions a report with respect to the furnishing of such
23 assistance, including a detailed explanation of the
24 assistance to be provided, the estimated dollar
25 amount of such assistance, and an explanation of

1 how the assistance furthers United States national
2 interest.

3 (b) BILATERAL ASSISTANCE.—

4 (1) LIMITATIONS.—Funds appropriated for bi-
5 lateral assistance in titles III through VI of this Act
6 and funds appropriated under any such title in prior
7 Acts making appropriations for the Department of
8 State, foreign operations, and related programs,
9 shall not be made available to any foreign govern-
10 ment which the President determines—

11 (A) grants sanctuary from prosecution to
12 any individual or group which has committed
13 an act of international terrorism;

14 (B) otherwise supports international ter-
15 rorism; or

16 (C) is controlled by an organization des-
17 ignated as a terrorist organization under sec-
18 tion 219 of the Immigration and Nationality
19 Act (8 U.S.C. 1189).

20 (2) WAIVER.—The President may waive the ap-
21 plication of paragraph (1) to a government if the
22 President determines that national security or hu-
23 manitarian reasons justify such waiver: *Provided*,
24 That the President shall publish each such waiver in
25 the Federal Register and, at least 15 days before the

1 waiver takes effect, shall notify the Committees on
2 Appropriations of the waiver (including the justifica-
3 tion for the waiver) in accordance with the regular
4 notification procedures of the Committees on Appro-
5 priations.

6 AUTHORIZATION REQUIREMENTS

7 SEC. 7022. Funds appropriated by this Act, except
8 funds appropriated under the heading “Trade and Devel-
9 opment Agency”, may be obligated and expended notwith-
10 standing section 10 of Public Law 91–672 (22 U.S.C.
11 2412), section 15 of the State Department Basic Authori-
12 ties Act of 1956 (22 U.S.C. 2680), section 313 of the For-
13 eign Relations Authorization Act, Fiscal Years 1994 and
14 1995 (22 U.S.C. 6212), and section 504(a)(1) of the Na-
15 tional Security Act of 1947 (50 U.S.C. 3094(a)(1)).

16 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

17 SEC. 7023. For the purpose of titles II through VI
18 of this Act “program, project, and activity” shall be de-
19 fined at the appropriations Act account level and shall in-
20 clude all appropriations and authorizations Acts funding
21 directives, ceilings, and limitations with the exception that
22 for the “Economic Support Fund”, “Assistance for Eu-
23 rope, Eurasia and Central Asia”, and “Foreign Military
24 Financing Program” accounts, “program, project, and ac-
25 tivity” shall also be considered to include country, re-

1 gional, and central program level funding within each such
2 account, and for the development assistance accounts of
3 the United States Agency for International Development,
4 “program, project, and activity” shall also be considered
5 to include central, country, regional, and program level
6 funding, either as—

7 (1) justified to Congress; or

8 (2) allocated by the Executive Branch in ac-
9 cordance with the report required by section 653(a)
10 of the Foreign Assistance Act of 1961 or as modi-
11 fied pursuant to section 7019 of this Act.

12 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
13 FOUNDATION, AND UNITED STATES AFRICAN DEVEL-
14 OPMENT FOUNDATION

15 SEC. 7024. Unless expressly provided to the contrary,
16 provisions of this or any other Act, including provisions
17 contained in prior Acts authorizing or making appropria-
18 tions for the Department of State, foreign operations, and
19 related programs, shall not be construed to prohibit activi-
20 ties authorized by or conducted under the Peace Corps
21 Act, the Inter-American Foundation Act, or the African
22 Development Foundation Act: *Provided*, That prior to con-
23 ducting activities in a country for which assistance is pro-
24 hibited, the agency shall consult with the Committees on

1 Appropriations and report to such Committees within 15
2 days of taking such action.

3 COMMERCE, TRADE AND SURPLUS COMMODITIES

4 SEC. 7025. (a) WORLD MARKETS.—None of the
5 funds appropriated or made available pursuant to titles
6 III through VI of this Act for direct assistance and none
7 of the funds otherwise made available to the Export-Im-
8 port Bank and the United States International Develop-
9 ment Finance Corporation shall be obligated or expended
10 to finance any loan, any assistance, or any other financial
11 commitments for establishing or expanding production of
12 any commodity for export by any country other than the
13 United States, if the commodity is likely to be in surplus
14 on world markets at the time the resulting productive ca-
15 pacity is expected to become operative and if the assist-
16 ance will cause substantial injury to United States pro-
17 ducers of the same, similar, or competing commodity: *Pro-*
18 *vided*, That such prohibition shall not apply to the Export-
19 Import Bank if in the judgment of its Board of Directors
20 the benefits to industry and employment in the United
21 States are likely to outweigh the injury to United States
22 producers of the same, similar, or competing commodity,
23 and the Chairman of the Board so notifies the Committees
24 on Appropriations: *Provided further*, That this subsection
25 shall not prohibit—

1 (1) activities in a country that is eligible for as-
2 sistance from the International Development Asso-
3 ciation, is not eligible for assistance from the Inter-
4 national Bank for Reconstruction and Development,
5 and does not export on a consistent basis the agri-
6 cultural commodity with respect to which assistance
7 is furnished; or

8 (2) activities in a country the President deter-
9 mines is recovering from widespread conflict, a hu-
10 manitarian crisis, or a complex emergency.

11 (b) EXPORTS.—None of the funds appropriated by
12 this or any other Act to carry out chapter 1 of part I
13 of the Foreign Assistance Act of 1961 shall be available
14 for any testing or breeding feasibility study, variety im-
15 provement or introduction, consultancy, publication, con-
16 ference, or training in connection with the growth or pro-
17 duction in a foreign country of an agricultural commodity
18 for export which would compete with a similar commodity
19 grown or produced in the United States: *Provided*, That
20 this subsection shall not prohibit—

21 (1) activities designed to increase food security
22 in developing countries where such activities will not
23 have a significant impact on the export of agricul-
24 tural commodities of the United States;

1 (1) AGREEMENTS.—If assistance is furnished to
2 the government of a foreign country under chapters
3 1 and 10 of part I or chapter 4 of part II of the
4 Foreign Assistance Act of 1961 under agreements
5 which result in the generation of local currencies of
6 that country, the Administrator of the United States
7 Agency for International Development shall—

8 (A) require that local currencies be depos-
9 ited in a separate account established by that
10 government;

11 (B) enter into an agreement with that gov-
12 ernment which sets forth—

13 (i) the amount of the local currencies
14 to be generated; and

15 (ii) the terms and conditions under
16 which the currencies so deposited may be
17 utilized, consistent with this section; and

18 (C) establish by agreement with that gov-
19 ernment the responsibilities of USAID and that
20 government to monitor and account for deposits
21 into and disbursements from the separate ac-
22 count.

23 (2) USES OF LOCAL CURRENCIES.—As may be
24 agreed upon with the foreign government, local cur-
25 rencies deposited in a separate account pursuant to

1 subsection (a), or an equivalent amount of local cur-
2 rencies, shall be used only—

3 (A) to carry out chapter 1 or 10 of part
4 I or chapter 4 of part II of the Foreign Assist-
5 ance Act of 1961 (as the case may be), for such
6 purposes as—

7 (i) project and sector assistance activi-
8 ties; or

9 (ii) debt and deficit financing; or

10 (B) for the administrative requirements of
11 the United States Government.

12 (3) PROGRAMMING ACCOUNTABILITY.—USAID
13 shall take all necessary steps to ensure that the
14 equivalent of the local currencies disbursed pursuant
15 to subsection (a)(2)(A) from the separate account
16 established pursuant to subsection (a)(1) are used
17 for the purposes agreed upon pursuant to subsection
18 (a)(2).

19 (4) TERMINATION OF ASSISTANCE PRO-
20 GRAMS.—Upon termination of assistance to a coun-
21 try under chapter 1 or 10 of part I or chapter 4 of
22 part II of the Foreign Assistance Act of 1961 (as
23 the case may be), any unencumbered balances of
24 funds which remain in a separate account estab-
25 lished pursuant to subsection (a) shall be disposed of

1 for such purposes as may be agreed to by the gov-
2 ernment of that country and the United States Gov-
3 ernment.

4 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

5 (1) IN GENERAL.—If assistance is made avail-
6 able to the government of a foreign country, under
7 chapter 1 or 10 of part I or chapter 4 of part II of
8 the Foreign Assistance Act of 1961, as cash transfer
9 assistance or as nonproject sector assistance, that
10 country shall be required to maintain such funds in
11 a separate account and not commingle with any
12 other funds.

13 (2) APPLICABILITY OF OTHER PROVISIONS OF
14 LAW.—Such funds may be obligated and expended
15 notwithstanding provisions of law which are incon-
16 sistent with the nature of this assistance including
17 provisions which are referenced in the Joint Explan-
18 atory Statement of the Committee of Conference ac-
19 companying House Joint Resolution 648 (House Re-
20 port No. 98–1159).

21 (3) NOTIFICATION.—At least 15 days prior to
22 obligating any such cash transfer or nonproject sec-
23 tor assistance, the President shall submit a notifica-
24 tion through the regular notification procedures of
25 the Committees on Appropriations, which shall in-

1 cluding a description of the program to be assisted, the
2 assistance to be provided, and the reasons for furnishing
3 such assistance: *Provided further*, That nothing in this
4 subsection shall be construed to alter any existing statu-
5 tory prohibitions against abortion or involuntary steriliza-
6 tions contained in this or any other Act.

7 (b) PUBLIC LAW 480.—During fiscal year 2020, re-
8 strictions contained in this or any other Act with respect
9 to assistance for a country shall not be construed to re-
10 strict assistance under the Food for Peace Act (Public
11 Law 83–480; 7 U.S.C. 1721 et seq.): *Provided*, That none
12 of the funds appropriated to carry out title I of such Act
13 and made available pursuant to this subsection may be
14 obligated or expended except as provided through the reg-
15 ular notification procedures of the Committees on Appro-
16 priations.

17 (c) EXCEPTION.—This section shall not apply—

18 (1) with respect to section 620A of the Foreign
19 Assistance Act of 1961 or any comparable provision
20 of law prohibiting assistance to countries that sup-
21 port international terrorism; or

22 (2) with respect to section 116 of the Foreign
23 Assistance Act of 1961 or any comparable provision
24 of law prohibiting assistance to the government of a

1 country that violates internationally recognized
2 human rights.

3 LOCAL COMPETITION

4 SEC. 7028. (a) REQUIREMENTS FOR EXCEPTIONS TO
5 COMPETITION FOR LOCAL ENTITIES.—Funds appro-
6 priated by this Act that are made available to the United
7 States Agency for International Development may only be
8 made available for limited competitions through local enti-
9 ties if—

10 (1) prior to the determination to limit competi-
11 tion to local entities, USAID has—

12 (A) assessed the level of local capacity to
13 effectively implement, manage, and account for
14 programs included in such competition; and

15 (B) documented the written results of the
16 assessment and decisions made; and

17 (2) prior to making an award after limiting
18 competition to local entities—

19 (A) each successful local entity has been
20 determined to be responsible in accordance with
21 USAID guidelines; and

22 (B) effective monitoring and evaluation
23 systems are in place to ensure that award fund-
24 ing is used for its intended purposes; and

25 (3) no level of acceptable fraud is assumed.

1 (b) EXTENSION OF PROCUREMENT AUTHORITY.—
2 Section 7077 of the Department of State, Foreign Oper-
3 ations, and Related Programs Appropriations Act, 2012
4 (division I of Public Law 112–74) shall continue in effect
5 during fiscal year 2020.

6 INTERNATIONAL FINANCIAL INSTITUTIONS

7 SEC. 7029. (a) EVALUATIONS AND REPORT.—The
8 Secretary of the Treasury shall instruct the United States
9 executive director of each international financial institu-
10 tion to use the voice of the United States to encourage
11 such institution to adopt and implement a publicly avail-
12 able policy, including the strategic use of peer reviews and
13 external experts, to conduct independent, in-depth evalua-
14 tions of the effectiveness of at least 25 percent of all loans,
15 grants, programs, and significant analytical non-lending
16 activities in advancing the institution’s goals of reducing
17 poverty and promoting equitable economic growth, con-
18 sistent with relevant safeguards, to ensure that decisions
19 to support such loans, grants, programs, and activities are
20 based on accurate data and objective analysis: *Provided*,
21 That not later than 45 days after enactment of this Act,
22 the Secretary shall submit a report to the Committees on
23 Appropriations on steps taken in fiscal year 2019 by the
24 United States executive directors and the international fi-

1 nancial institutions consistent with this subsection com-
2 pared to the previous fiscal year.

3 (b) SAFEGUARDS.—

4 (1) STANDARD.—The Secretary of the Treasury
5 shall instruct the United States Executive Director
6 of the International Bank for Reconstruction and
7 Development and the International Development As-
8 sociation to use the voice and vote of the United
9 States to oppose any loan, grant, policy, or strategy
10 if such institution has adopted and is implementing
11 any social or environmental safeguard relevant to
12 such loan, grant, policy, or strategy that provides
13 less protection than World Bank safeguards in effect
14 on September 30, 2015.

15 (2) ACCOUNTABILITY, STANDARDS, AND BEST
16 PRACTICES.—The Secretary of the Treasury shall in-
17 struct the United States executive director of each
18 international financial institution to use the voice
19 and vote of the United States to oppose loans or
20 other financing for projects unless such projects—

21 (A) provide for accountability and trans-
22 parency, including the collection, verification,
23 and publication of beneficial ownership informa-
24 tion related to extractive industries and on-site
25 monitoring during the life of the project;

1 (B) will be developed and carried out in ac-
2 cordance with best practices regarding environ-
3 mental conservation, cultural protection, and
4 empowerment of local populations, including
5 free, prior and informed consent of affected in-
6 digenous communities;

7 (C) do not provide incentives for, or facili-
8 tate, forced displacement; and

9 (D) do not partner with or otherwise in-
10 volve enterprises owned or controlled by the
11 armed forces.

12 (c) COMPENSATION.—None of the funds appro-
13 priated under title V of this Act may be made as payment
14 to any international financial institution while the United
15 States executive director to such institution is com-
16 pensated by the institution at a rate which, together with
17 whatever compensation such executive director receives
18 from the United States, is in excess of the rate provided
19 for an individual occupying a position at level IV of the
20 Executive Schedule under section 5315 of title 5, United
21 States Code, or while any alternate United States execu-
22 tive director to such institution is compensated by the in-
23 stitution at a rate in excess of the rate provided for an
24 individual occupying a position at level V of the Executive

1 Schedule under section 5316 of title 5, United States
2 Code.

3 (d) HUMAN RIGHTS.—The Secretary of the Treasury
4 shall instruct the United States executive director of each
5 international financial institution to use the voice and vote
6 of the United States to promote human rights due dili-
7 gence and risk management, as appropriate, in connection
8 with any loan, grant, policy, or strategy of such institution
9 in accordance with the requirements specified under this
10 subsection in Senate Report 116–126: *Provided*, That
11 prior to voting on any such loan, grant, policy, or strategy
12 the executive director shall consult with the Assistant Sec-
13 retary for Democracy, Human Rights, and Labor, Depart-
14 ment of State, if the executive director has reason to be-
15 lieve that such loan, grant, policy, or strategy could result
16 in forced displacement or other violation of human rights.

17 (e) FRAUD AND CORRUPTION.—The Secretary of the
18 Treasury shall instruct the United States executive direc-
19 tor of each international financial institution to use the
20 voice of the United States to include in loan, grant, and
21 other financing agreements improvements in borrowing
22 countries' financial management and judicial capacity to
23 investigate, prosecute, and punish fraud and corruption.

24 (f) BENEFICIAL OWNERSHIP INFORMATION.—The
25 Secretary of the Treasury shall instruct the United States

1 executive director of each international financial institu-
2 tion to use the voice of the United States to encourage
3 such institution to collect, verify, and publish, to the max-
4 imum extent practicable, beneficial ownership information
5 (excluding proprietary information) for any corporation or
6 limited liability company, other than a publicly listed com-
7 pany, that receives funds from any such financial institu-
8 tion: *Provided*, That not later than 45 days after enact-
9 ment of this Act, the Secretary shall submit a report to
10 the Committees on Appropriations on steps taken in fiscal
11 year 2019 by the United States executive directors and
12 the international financial institutions consistent with this
13 subsection compared to the previous fiscal year.

14 (g) WHISTLEBLOWER PROTECTIONS.—The Secretary
15 of the Treasury shall instruct the United States executive
16 director of each international financial institution to use
17 the voice of the United States to encourage each such in-
18 stitution to effectively implement and enforce policies and
19 procedures which meet or exceed best practices in the
20 United States for the protection of whistleblowers from
21 retaliation, including—

- 22 (1) protection against retaliation for internal
23 and lawful public disclosure;
- 24 (2) legal burdens of proof;

1 (3) statutes of limitation for reporting retalia-
2 tion;

3 (4) access to binding independent adjudicative
4 bodies, including shared cost and selection external
5 arbitration; and

6 (5) results that eliminate the effects of proven
7 retaliation, including provision for the restoration of
8 prior employment.

9 INSECURE COMMUNICATIONS NETWORKS

10 SEC. 7030. Funds appropriated by this Act shall be
11 made available for programs to—

12 (1) advance the adoption of secure, next-genera-
13 tion communications networks and services, includ-
14 ing 5G, and cybersecurity policies, in countries re-
15 ceiving assistance under this Act and prior Acts
16 making appropriations for the Department of State,
17 foreign operations, and related programs;

18 (2) counter the establishment of insecure com-
19 munications networks and services, including 5G,
20 promoted by the People’s Republic of China and
21 other state-backed enterprises that are subject to
22 undue or extrajudicial control by their country of or-
23 igin; and

24 (3) provide policy and technical training to in-
25 formation communication technology professionals in

1 countries receiving assistance under this Act, as ap-
2 propriate.

3 FINANCIAL MANAGEMENT AND BUDGET TRANSPARENCY

4 SEC. 7031. (a) LIMITATION ON DIRECT GOVERN-
5 MENT-TO-GOVERNMENT ASSISTANCE.—

6 (1) REQUIREMENTS.—Funds appropriated by
7 this Act may be made available for direct govern-
8 ment-to-government assistance only if the require-
9 ments included in section 7031(a)(1)(A) through (E)
10 of the Department of State, Foreign Operations, and
11 Related Programs Appropriations Act, 2019 (divi-
12 sion F of Public Law 116–6) are fully met.

13 (2) CONSULTATION AND NOTIFICATION.—In
14 addition to the requirements in paragraph (1), funds
15 may only be made available for direct government-
16 to-government assistance subject to prior consulta-
17 tion with, and the regular notification procedures of,
18 the Committees on Appropriations: *Provided*, That
19 such notification shall contain an explanation of how
20 the proposed activity meets the requirements of
21 paragraph (1): *Provided further*, That the require-
22 ments of this paragraph shall only apply to direct
23 government-to-government assistance in excess of
24 \$10,000,000 and all funds available for cash trans-

1 fer, budget support, and cash payments to individ-
2 uals.

3 (3) SUSPENSION OF ASSISTANCE.—The Admin-
4 istrator of the United States Agency for Inter-
5 national Development or the Secretary of State, as
6 appropriate, shall suspend any direct government-to-
7 government assistance if the Administrator or the
8 Secretary has credible information of material mis-
9 use of such assistance, unless the Administrator or
10 the Secretary reports to the Committees on Appro-
11 priations that it is in the national interest of the
12 United States to continue such assistance, including
13 a justification, or that such misuse has been appro-
14 priately addressed.

15 (4) SUBMISSION OF INFORMATION.—The Sec-
16 retary of State shall submit to the Committees on
17 Appropriations, concurrent with the fiscal year 2021
18 congressional budget justification materials, amounts
19 planned for assistance described in paragraph (1) by
20 country, proposed funding amount, source of funds,
21 and type of assistance.

22 (5) DEBT SERVICE PAYMENT PROHIBITION.—
23 None of the funds made available by this Act may
24 be used by the government of any foreign country

1 for debt service payments owed by any country to
2 any international financial institution.

3 (b) NATIONAL BUDGET AND CONTRACT TRANS-
4 PARENCY.—

5 (1) MINIMUM REQUIREMENTS OF FISCAL
6 TRANSPARENCY.—The Secretary of State shall con-
7 tinue to update and strengthen the “minimum re-
8 quirements of fiscal transparency” for each govern-
9 ment receiving assistance appropriated by this Act,
10 as identified in the report required by section
11 7031(b) of the Department of State, Foreign Oper-
12 ations, and Related Programs Appropriations Act,
13 2014 (division K of Public Law 113–76).

14 (2) DETERMINATION AND REPORT.—For each
15 government identified pursuant to paragraph (1),
16 the Secretary of State, not later than 180 days after
17 enactment of this Act, shall make or update any de-
18 termination of “significant progress” or “no signifi-
19 cant progress” in meeting the minimum require-
20 ments of fiscal transparency, and make such deter-
21 minations publicly available in an annual “Fiscal
22 Transparency Report” to be posted on the Depart-
23 ment of State website: *Provided*, That such report
24 shall include the elements included in the explana-

1 tory statement described in section 4 (in the matter
2 preceding division A of this consolidated Act).

3 (3) ASSISTANCE.—Not less than \$5,000,000 of
4 the funds appropriated by this Act under the head-
5 ing “Economic Support Fund” shall be made avail-
6 able for programs and activities to assist govern-
7 ments identified pursuant to paragraph (1) to im-
8 prove budget transparency and to support civil soci-
9 ety organizations in such countries that promote
10 budget transparency: *Provided*, That such sums
11 shall be in addition to funds otherwise available for
12 such purposes: *Provided further*, That a description
13 of the uses of such funds shall be included in the an-
14 nual “Fiscal Transparency Report” required by
15 paragraph (2).

16 (c) ANTI-KLEPTOCRACY AND HUMAN RIGHTS.—

17 (1) INELIGIBILITY.—(A) Officials of foreign
18 governments and their immediate family members
19 about whom the Secretary of State has credible in-
20 formation have been involved, directly or indirectly,
21 in significant corruption, including corruption re-
22 lated to the extraction of natural resources, or a
23 gross violation of human rights shall be ineligible for
24 entry into the United States.

1 (B) The Secretary shall also publicly or pri-
2 vately designate or identify the officials of foreign
3 governments and their immediate family members
4 about whom the Secretary has such credible infor-
5 mation without regard to whether the individual has
6 applied for a visa.

7 (2) EXCEPTION.—Individuals shall not be ineli-
8 gible for entry into the United States pursuant to
9 paragraph (1) if such entry would further important
10 United States law enforcement objectives or is nec-
11 essary to permit the United States to fulfill its obli-
12 gations under the United Nations Headquarters
13 Agreement: *Provided*, That nothing in paragraph (1)
14 shall be construed to derogate from United States
15 Government obligations under applicable inter-
16 national agreements.

17 (3) WAIVER.—The Secretary may waive the ap-
18 plication of paragraph (1) if the Secretary deter-
19 mines that the waiver would serve a compelling na-
20 tional interest or that the circumstances which
21 caused the individual to be ineligible have changed
22 sufficiently.

23 (4) REPORT.—Not later than 30 days after en-
24 actment of this Act, and every 90 days thereafter,
25 the Secretary of State shall submit a report, includ-

1 ing a classified annex if necessary, to the appro-
2 priate congressional committees and the Committees
3 on the Judiciary describing the information related
4 to corruption or violation of human rights con-
5 cerning each of the individuals found ineligible in the
6 previous 12 months pursuant to paragraph (1)(A) as
7 well as the individuals who the Secretary designated
8 or identified pursuant to paragraph (1)(B), or who
9 would be ineligible but for the application of para-
10 graph (2), a list of any waivers provided under para-
11 graph (3), and the justification for each waiver.

12 (5) POSTING OF REPORT.—Any unclassified
13 portion of the report required under paragraph (4)
14 shall be posted on the Department of State website.

15 (6) CLARIFICATION.—For purposes of para-
16 graphs (1), (4), and (5), the records of the Depart-
17 ment of State and of diplomatic and consular offices
18 of the United States pertaining to the issuance or
19 refusal of visas or permits to enter the United
20 States shall not be considered confidential.

21 (d) EXTRACTION OF NATURAL RESOURCES.—

22 (1) ASSISTANCE.—Funds appropriated by this
23 Act shall be made available to promote and support
24 transparency and accountability of expenditures and
25 revenues related to the extraction of natural re-

1 sources, including by strengthening implementation
2 and monitoring of the Extractive Industries Trans-
3 parency Initiative, implementing and enforcing sec-
4 tion 8204 of the Food, Conservation, and Energy
5 Act of 2008 (Public Law 110–246; 122 Stat. 2052)
6 and the amendments made by such section, and to
7 prevent the sale of conflict diamonds, and provide
8 technical assistance to promote independent audit
9 mechanisms and support civil society participation in
10 natural resource management.

11 (2) PUBLIC DISCLOSURE AND INDEPENDENT
12 AUDITS.—(A) The Secretary of the Treasury shall
13 instruct the executive director of each international
14 financial institution that it is the policy of the
15 United States to use the voice and vote of the
16 United States to oppose any assistance by such in-
17 stitutions (including any loan, credit, grant, or guar-
18 antee) to any country for the extraction and export
19 of a natural resource if the government of such
20 country has in place laws, regulations, or procedures
21 to prevent or limit the public disclosure of company
22 payments as required by United States law, and un-
23 less such government has adopted laws, regulations,
24 or procedures in the sector in which assistance is
25 being considered to meet the standards included

1 under this section in the explanatory statement de-
2 scribed in section 4 (in the matter preceding division
3 A of this consolidated Act).

4 (B) The requirements of subparagraph (A)
5 shall not apply to assistance for the purpose of
6 building the capacity of such government to meet
7 the requirements of this subparagraph.

8 (e) FOREIGN ASSISTANCE WEBSITE.—Funds appro-
9 priated by this Act under titles I and II, and funds made
10 available for any independent agency in title III, as appro-
11 priate, shall be made available to support the provision
12 of additional information on United States Government
13 foreign assistance on the Department of State foreign as-
14 sistance website: *Provided*, That all Federal agencies fund-
15 ed under this Act shall provide such information on for-
16 eign assistance, upon request and in a timely manner, to
17 the Department of State: *Provided further*, That not later
18 than 60 days after enactment of this Act, the Secretary
19 of State and USAID Administrator shall report to the
20 Committees on Appropriations on the process and timeline
21 required to consolidate data from USAID’s “Foreign Aid
22 Explorer” and “ForeignAssistance.gov”, in accordance
23 with the requirements specified in the explanatory state-
24 ment described in section 4 (in the matter preceding divi-
25 sion A of this consolidated Act).

1 DEMOCRACY PROGRAMS

2 SEC. 7032. (a) FUNDING.—

3 (1) IN GENERAL.—Of the funds appropriated
4 by this Act under the headings “Development As-
5 sistance”, “Economic Support Fund”, “Democracy
6 Fund”, “Assistance for Europe, Eurasia and Cen-
7 tral Asia”, and “International Narcotics Control and
8 Law Enforcement”, not less than \$2,400,000,000
9 shall be made available for democracy programs.

10 (2) PROGRAMS.—Of the funds made available
11 for democracy programs under the headings “Eco-
12 nomic Support Fund” and “Assistance for Europe,
13 Eurasia and Central Asia” pursuant to paragraph
14 (1), not less than \$102,040,000 shall be made avail-
15 able to the Bureau of Democracy, Human Rights,
16 and Labor, Department of State, at not less than
17 the amounts specified for certain countries and re-
18 gional programs designated in the table under this
19 section in the explanatory statement described in
20 section 4 (in the matter preceding division A of this
21 consolidated Act).

22 (b) AUTHORITIES.—

23 (1) AVAILABILITY.—Funds made available by
24 this Act for democracy programs pursuant to sub-
25 section (a) and under the heading “National Endow-

1 ment for Democracy” may be made available not-
2 withstanding any other provision of law, and with
3 regard to the National Endowment for Democracy
4 (NED), any regulation.

5 (2) BENEFICIARIES.—Funds made available by
6 this Act for the NED are made available pursuant
7 to the authority of the National Endowment for De-
8 mocracy Act (title V of Public Law 98–164), includ-
9 ing all decisions regarding the selection of bene-
10 ficiaries.

11 (c) DEFINITION OF DEMOCRACY PROGRAMS.—For
12 purposes of funds appropriated by this Act, the term “de-
13 mocracy programs” means programs that support good
14 governance, credible and competitive elections, freedom of
15 expression, association, assembly, and religion, human
16 rights, labor rights, independent media, and the rule of
17 law, and that otherwise strengthen the capacity of demo-
18 cratic political parties, governments, nongovernmental or-
19 ganizations and institutions, and citizens to support the
20 development of democratic states and institutions that are
21 responsive and accountable to citizens.

22 (d) PROGRAM PRIORITIZATION.—Funds made avail-
23 able pursuant to this section that are made available for
24 programs to strengthen government institutions shall be

1 prioritized for those institutions that demonstrate a com-
2 mitment to democracy and the rule of law.

3 (e) RESTRICTION ON PRIOR APPROVAL.—With re-
4 spect to the provision of assistance for democracy pro-
5 grams in this Act, the organizations implementing such
6 assistance, the specific nature of that assistance, and the
7 participants in such programs shall not be subject to the
8 prior approval by the government of any foreign country:
9 *Provided*, That the Secretary of State, in coordination
10 with the Administrator of the United States Agency for
11 International Development, shall report to the Committees
12 on Appropriations, not later than 120 days after enact-
13 ment of this Act, detailing steps taken by the Department
14 of State and USAID to comply with the requirements of
15 this subsection.

16 (f) CONTINUATION OF CURRENT PRACTICES.—The
17 United States Agency for International Development shall
18 continue to implement civil society and political competi-
19 tion and consensus building programs abroad with funds
20 appropriated by this Act in a manner that recognizes the
21 unique benefits of grants and cooperative agreements in
22 implementing such programs.

23 (g) INFORMING THE NATIONAL ENDOWMENT FOR
24 DEMOCRACY.—The Assistant Secretary for Democracy,
25 Human Rights, and Labor, Department of State, and the

1 Assistant Administrator for Democracy, Conflict, and Hu-
2 manitarian Assistance, USAID, shall regularly inform the
3 National Endowment for Democracy of democracy pro-
4 grams that are planned and supported by funds made
5 available by this Act and prior Acts making appropriations
6 for the Department of State, foreign operations, and re-
7 lated programs.

8 (h) PROTECTION OF CIVIL SOCIETY ACTIVISTS AND
9 JOURNALISTS.—Of the funds appropriated by this Act
10 under the headings “Economic Support Fund” and “De-
11 mocracy Fund”, not less than \$20,000,000 shall be made
12 available to support and protect civil society activists and
13 journalists who have been threatened, harassed, or at-
14 tacked, including journalists affiliated with the United
15 States Agency for Global Media, consistent with the action
16 plan submitted pursuant to, and on the same terms and
17 conditions of, section 7032(i) of the Department of State,
18 Foreign Operations, and Related Programs Appropria-
19 tions Act, 2018 (division K of Public Law 115–141).

20 (i) INTERNATIONAL FREEDOM OF EXPRESSION.—

21 (1) OPERATIONS.—Funds appropriated by this
22 Act under the heading “Diplomatic Programs” shall
23 be made available for the Bureau of Democracy,
24 Human Rights, and Labor, Department of State, for
25 the costs of administering programs designed to pro-

1 mote and defend freedom of expression and the inde-
2 pendence of the media in countries where such free-
3 dom and independence are restricted or denied.

4 (2) ASSISTANCE.—Of the funds appropriated by
5 this Act under the heading “Economic Support
6 Fund”, not less than \$10,000,000 shall be made
7 available for programs that promote and defend
8 freedom of expression and the independence of the
9 media abroad: *Provided*, That such funds are in ad-
10 dition to funds otherwise made available by this Act
11 for such purposes, and are intended to complement
12 emergency and safety programs for civil society, in-
13 cluding journalists and media outlets at risk: *Pro-*
14 *vided further*, That such funds shall be subject to
15 prior consultation with, and the regular notification
16 procedures of, the Committees on Appropriations.

17 INTERNATIONAL RELIGIOUS FREEDOM

18 SEC. 7033. (a) INTERNATIONAL RELIGIOUS FREE-
19 DOM OFFICE.—Funds appropriated by this Act under the
20 heading “Diplomatic Programs” shall be made available
21 for the Office of International Religious Freedom, Depart-
22 ment of State, including for support staff at not less than
23 the amounts specified for such office in the table under
24 such heading in the explanatory statement described in

1 section 4 (in the matter preceding division A of this con-
2 solidated Act).

3 (b) ASSISTANCE.—Funds appropriated by this Act
4 under the headings “Democracy Fund”, “Economic Sup-
5 port Fund”, and “International Broadcasting Operations”
6 shall be made available for international religious freedom
7 programs and funds appropriated by this Act under the
8 headings “International Disaster Assistance” and “Migra-
9 tion and Refugee Assistance” shall be made available for
10 humanitarian assistance for vulnerable and persecuted re-
11 ligious minorities: *Provided*, That funds made available by
12 this Act under the headings “Economic Support Fund”
13 and “Democracy Fund” pursuant to this section shall be
14 the responsibility of the Ambassador-at-Large for Inter-
15 national Religious Freedom, in consultation with other rel-
16 evant United States Government officials, and shall be
17 subject to prior consultation with the Committees on Ap-
18 propriations.

19 (c) AUTHORITY.—Funds appropriated by this Act
20 and prior Acts making appropriations for the Department
21 of State, foreign operations, and related programs under
22 the heading “Economic Support Fund” may be made
23 available notwithstanding any other provision of law for
24 assistance for ethnic and religious minorities in Iraq and
25 Syria.

1 (d) DESIGNATION OF NON-STATE ACTORS.—Section
2 7033(e) of the Department of State, Foreign Operations,
3 and Related Programs Appropriations Act, 2017 (division
4 J of Public 115–31) shall continue in effect during fiscal
5 year 2020.

6 SPECIAL PROVISIONS

7 SEC. 7034. (a) VICTIMS OF WAR, DISPLACED CHIL-
8 DREN, AND DISPLACED BURMESE.—Funds appropriated
9 in titles III and VI of this Act that are made available
10 for victims of war, displaced children, displaced Burmese,
11 and to combat trafficking in persons and assist victims
12 of such trafficking, may be made available notwith-
13 standing any other provision of law.

14 (b) FORENSIC ASSISTANCE.—

15 (1) Of the funds appropriated by this Act under
16 the heading “Economic Support Fund”, not less
17 than \$12,500,000 shall be made available for foren-
18 sic anthropology assistance related to the exhuma-
19 tion and identification of victims of war crimes,
20 crimes against humanity, and genocide, which shall
21 be administered by the Assistant Secretary for De-
22 mocracy, Human Rights, and Labor, Department of
23 State: *Provided*, That such funds shall be in addition
24 to funds made available by this Act and prior Acts
25 making appropriations for the Department of State,

1 foreign operations, and related programs for assist-
2 ance for countries.

3 (2) Of the funds appropriated by this Act under
4 the heading “International Narcotics Control and
5 Law Enforcement”, not less than \$8,000,000 shall
6 be made available for DNA forensic technology pro-
7 grams to combat human trafficking in Central
8 America and Mexico.

9 (c) ATROCITIES PREVENTION.—Of the funds appro-
10 priated by this Act under the headings “Economic Sup-
11 port Fund” and “International Narcotics Control and
12 Law Enforcement”, not less than \$5,000,000 shall be
13 made available for programs to prevent atrocities, includ-
14 ing to implement recommendations of the Atrocities Pre-
15 vention Board: *Provided*, That funds made available pur-
16 suant to this subsection are in addition to amounts other-
17 wise made available for such purposes: *Provided further*,
18 That such funds shall be subject to the regular notification
19 procedures of the Committees on Appropriations.

20 (d) WORLD FOOD PROGRAMME.—Funds managed by
21 the Bureau for Democracy, Conflict, and Humanitarian
22 Assistance, United States Agency for International Devel-
23 opment, from this or any other Act, may be made available
24 as a general contribution to the World Food Programme,
25 notwithstanding any other provision of law.

1 (e) DIRECTIVES AND AUTHORITIES.—

2 (1) RESEARCH AND TRAINING.—Funds appro-
3 priated by this Act under the heading “Assistance
4 for Europe, Eurasia and Central Asia” shall be
5 made available to carry out the Program for Re-
6 search and Training on Eastern Europe and the
7 Independent States of the Former Soviet Union as
8 authorized by the Soviet-Eastern European Research
9 and Training Act of 1983 (22 U.S.C. 4501 et seq.).

10 (2) GENOCIDE VICTIMS MEMORIAL SITES.—
11 Funds appropriated by this Act and prior Acts mak-
12 ing appropriations for the Department of State, for-
13 eign operations, and related programs under the
14 headings “Economic Support Fund” and “Assist-
15 ance for Europe, Eurasia and Central Asia” may be
16 made available as contributions to establish and
17 maintain memorial sites of genocide, subject to the
18 regular notification procedures of the Committees on
19 Appropriations.

20 (3) PRIVATE SECTOR PARTNERSHIPS.—Of the
21 funds appropriated by this Act under the headings
22 “Development Assistance” and “Economic Support
23 Fund” that are made available for private sector
24 partnerships, up to \$50,000,000 may remain avail-
25 able until September 30, 2022: *Provided*, That funds

1 made available pursuant to this paragraph may only
2 be made available following prior consultation with
3 the appropriate congressional committees, and the
4 regular notification procedures of the Committees on
5 Appropriations.

6 (4) ADDITIONAL AUTHORITIES.—Of the
7 amounts made available by title I of this Act under
8 the heading “Diplomatic Programs”, up to \$500,000
9 may be made available for grants pursuant to sec-
10 tion 504 of the Foreign Relations Authorization Act,
11 Fiscal Year 1979 (22 U.S.C. 2656d), including to
12 facilitate collaboration with indigenous communities,
13 and up to \$1,000,000 may be made available for
14 grants to carry out the activities of the Cultural An-
15 tiquities Task Force.

16 (5) INNOVATION.—The USAID Administrator
17 may use funds appropriated by this Act under title
18 III to make innovation incentive awards in accord-
19 ance with the terms and conditions of section
20 7034(e)(4) of the Department of State, Foreign Op-
21 erations, and Related Programs Appropriations Act,
22 2019 (division F of Public Law 116–6): *Provided*,
23 That each individual award may not exceed
24 \$100,000: *Provided further*, That no more than 15
25 such awards may be made during fiscal year 2020.

1 (6) EXCHANGE VISITOR PROGRAM.—None of
2 the funds made available by this Act may be used
3 to modify the Exchange Visitor Program adminis-
4 tered by the Department of State to implement the
5 Mutual Educational and Cultural Exchange Act of
6 1961 (Public Law 87–256; 22 U.S.C. 2451 et seq.),
7 except through the formal rulemaking process pursu-
8 ant to the Administrative Procedure Act (5 U.S.C.
9 551 et seq.) and notwithstanding the exceptions to
10 such rulemaking process in such Act: *Provided*, That
11 funds made available for such purpose shall only be
12 made available after consultation with, and subject
13 to the regular notification procedures of, the Com-
14 mittees on Appropriations, regarding how any pro-
15 posed modification would affect the public diplomacy
16 goals of, and the estimated economic impact on, the
17 United States: *Provided further*, That such consulta-
18 tion shall take place not later than 30 days prior to
19 the publication in the Federal Register of any regu-
20 latory action modifying the Exchange Visitor Pro-
21 gram.

22 (f) PARTNER VETTING.—Prior to initiating a partner
23 vetting program, or making significant changes to the
24 scope of an existing partner vetting program, the Sec-
25 retary of State and USAID Administrator, as appropriate,

1 shall consult with the Committees on Appropriations: *Pro-*
2 *vided*, That the Secretary and the Administrator shall pro-
3 vide a direct vetting option for prime awardees in any
4 partner vetting program initiated or significantly modified
5 after the date of enactment of this Act, unless the Sec-
6 retary of State or USAID Administrator, as applicable,
7 informs the Committees on Appropriations on a case-by-
8 case basis that a direct vetting option is not feasible for
9 such program.

10 (g) CONTINGENCIES.—During fiscal year 2020, the
11 President may use up to \$125,000,000 under the author-
12 ity of section 451 of the Foreign Assistance Act of 1961,
13 notwithstanding any other provision of law.

14 (h) INTERNATIONAL CHILD ABDUCTIONS.—The Sec-
15 retary of State should withhold funds appropriated under
16 title III of this Act for assistance for the central govern-
17 ment of any country that is not taking appropriate steps
18 to comply with the Convention on the Civil Aspects of
19 International Child Abductions, done at the Hague on Oc-
20 tober 25, 1980: *Provided*, That the Secretary shall report
21 to the Committees on Appropriations within 15 days of
22 withholding funds under this subsection.

23 (i) TRANSFER OF FUNDS FOR EXTRAORDINARY PRO-
24 TECTION.—The Secretary of State may transfer to, and
25 merge with, funds under the heading “Protection of For-

1 eign Missions and Officials” unobligated balances of ex-
2 pired funds appropriated under the heading “Diplomatic
3 Programs” for fiscal year 2020, except for funds des-
4 ignated for Overseas Contingency Operations/Global War
5 on Terrorism pursuant to section 251(b)(2)(A)(ii) of the
6 Balanced Budget and Emergency Deficit Control Act of
7 1985, at no later than the end of the fifth fiscal year after
8 the last fiscal year for which such funds are available for
9 the purposes for which appropriated: *Provided*, That not
10 more than \$50,000,000 may be transferred.

11 (j) AUTHORITY.—Funds made available by this Act
12 under the heading “Economic Support Fund” to counter
13 extremism may be made available notwithstanding any
14 other provision of law restricting assistance to foreign
15 countries, except sections 502B, 620A, and 620M of the
16 Foreign Assistance Act of 1961: *Provided*, That the use
17 of the authority of this subsection shall be subject to prior
18 consultation with the appropriate congressional commit-
19 tees and the regular notification procedures of the Com-
20 mittees on Appropriations.

21 (k) PROTECTIONS AND REMEDIES FOR EMPLOYEES
22 OF DIPLOMATIC MISSIONS AND INTERNATIONAL ORGANI-
23 ZATIONS.—The Secretary of State shall implement section
24 203(a)(2) of the William Wilberforce Trafficking Victims
25 Protection Reauthorization Act of 2008 (Public Law 110–

1 457): *Provided*, That in addition to suspension on the
2 basis of an unpaid default or final civil judgment directly
3 or indirectly related to human trafficking against the em-
4 ployer or a family member assigned to an embassy, sus-
5 pension on this basis should also apply to an employer or
6 family member assigned to any diplomatic mission, or any
7 international organization: *Provided further*, That the Sec-
8 retary of State should assist in obtaining payment of final
9 court judgments awarded to A-3 and G-5 visa holders,
10 including encouraging the sending states to provide com-
11 pensation directly to victims: *Provided further*, That the
12 Secretary shall include in the Trafficking in Persons an-
13 nual report a concise summary of each trafficking case
14 involving an A-3 or G-5 visa holder that meets one or
15 more of the following criteria: (1) a final court judgment
16 (including a default judgment) issued against a current
17 or former employee of such diplomatic mission or inter-
18 national organization; (2) the issuance of a T-visa to the
19 victim; or (3) a request by the Department of State to
20 the sending state that immunity of individual diplomats
21 or family members be waived to permit criminal prosecu-
22 tion.

23 (I) EXTENSION OF AUTHORITIES.—

24 (1) PASSPORT FEES.—Section 1(b)(2) of the
25 Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2))

1 shall be applied by substituting “September 30,
2 2020” for “September 30, 2010”.

3 (2) INCENTIVES FOR CRITICAL POSTS.—The
4 authority contained in section 1115(d) of the Sup-
5 plemental Appropriations Act, 2009 (Public Law
6 111–32) shall remain in effect through September
7 30, 2020.

8 (3) USAID CIVIL SERVICE ANNUITANT WAIV-
9 ER.—Section 625(j)(1) of the Foreign Assistance
10 Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied
11 by substituting “September 30, 2020” for “October
12 1, 2010” in subparagraph (B).

13 (4) OVERSEAS PAY COMPARABILITY AND LIM-
14 TATION.—(A) Subject to the limitation described in
15 subparagraph (B), the authority provided by section
16 1113 of the Supplemental Appropriations Act, 2009
17 (Public Law 111–32) shall remain in effect through
18 September 30, 2020.

19 (B) The authority described in subparagraph
20 (A) may not be used to pay an eligible member of
21 the Foreign Service (as defined in section 1113(b) of
22 the Supplemental Appropriations Act, 2009 (Public
23 Law 111–32)) a locality-based comparability pay-
24 ment (stated as a percentage) that exceeds two-
25 thirds of the amount of the locality-based com-

1 parability payment (stated as a percentage) that
2 would be payable to such member under section
3 5304 of title 5, United States Code, if such mem-
4 ber’s official duty station were in the District of Co-
5 lumbia.

6 (5) CATEGORICAL ELIGIBILITY.—The Foreign
7 Operations, Export Financing, and Related Pro-
8 grams Appropriations Act, 1990 (Public Law 101–
9 167) is amended—

10 (A) in section 599D (8 U.S.C. 1157
11 note)—

12 (i) in subsection (b)(3), by striking
13 “and 2019” and inserting “2019, and
14 2020”; and

15 (ii) in subsection (e), by striking
16 “2019” each place it appears and inserting
17 “2020”; and

18 (B) in section 599E(b)(2) (8 U.S.C. 1255
19 note), by striking “2019” and inserting
20 “2020”.

21 (6) INSPECTOR GENERAL ANNUITANT WAIV-
22 ER.—The authorities provided in section 1015(b) of
23 the Supplemental Appropriations Act, 2010 (Public
24 Law 111–212) shall remain in effect through Sep-
25 tember 30, 2020, and may be used to facilitate the

1 assignment of persons for oversight of programs in
2 Syria, South Sudan, Yemen, Somalia, and Ven-
3 ezuela.

4 (7) ACCOUNTABILITY REVIEW BOARDS.—The
5 authority provided by section 301(a)(3) of the Omni-
6 bus Diplomatic Security and Antiterrorism Act of
7 1986 (22 U.S.C. 4831(a)(3)) shall remain in effect
8 for facilities in Afghanistan through September 30,
9 2020, except that the notification and reporting re-
10 quirements contained in such section shall include
11 the Committees on Appropriations.

12 (8) SPECIAL INSPECTOR GENERAL FOR AF-
13 GHANISTAN RECONSTRUCTION COMPETITIVE STA-
14 TUS.—Notwithstanding any other provision of law,
15 any employee of the Special Inspector General for
16 Afghanistan Reconstruction (SIGAR) who completes
17 at least 12 months of continuous service after enact-
18 ment of this Act or who is employed on the date on
19 which SIGAR terminates, whichever occurs first,
20 shall acquire competitive status for appointment to
21 any position in the competitive service for which the
22 employee possesses the required qualifications.

23 (9) TRANSFER OF BALANCES.—Section 7081(h)
24 of the Department of State, Foreign Operations, and
25 Related Programs Appropriations Act, 2017 (divi-

1 sion J of Public Law 115–31) shall continue in ef-
2 fect during fiscal year 2020.

3 (10) DEPARTMENT OF STATE INSPECTOR GEN-
4 ERAL WAIVER AUTHORITY.—The Inspector General
5 of the Department of State may waive the provisions
6 of subsections (a) through (d) of section 824 of the
7 Foreign Service Act of 1980 (22 U.S.C. 4064) on a
8 case-by-case basis for an annuitant reemployed by
9 the Inspector General on a temporary basis, subject
10 to the same constraints and in the same manner by
11 which the Secretary of State may exercise such waiv-
12 er authority pursuant to subsection (g) of such sec-
13 tion.

14 (11) AFGHAN ALLIES.—Section 602(b)(3)(F) of
15 the Afghan Allies Protection Act of 2009 (8 U.S.C.
16 1101 note) is amended—

17 (A) in the heading, striking “2015, 2016,
18 AND 2017” and inserting “2015 THROUGH
19 2020”;

20 (B) in the matter preceding clause (i), by
21 striking “18,500” and inserting “22,500”; and

22 (C) in clauses (i) and (ii), by striking “De-
23 cember 31, 2020” and inserting “December 31,
24 2021”.

1 (m) MONITORING AND EVALUATION.—Funds appro-
2 priated by this Act that are made available for monitoring
3 and evaluation of assistance under the headings “Develop-
4 ment Assistance”, “International Disaster Assistance”,
5 and “Migration and Refugee Assistance” shall, as appro-
6 priate, be made available for the regular collection of feed-
7 back obtained directly from beneficiaries on the quality
8 and relevance of such assistance: *Provided*, That the De-
9 partment of State and USAID shall establish, and post
10 on their respective websites, updated procedures for imple-
11 menting partners that receive funds under such headings
12 for regularly collecting and responding to such feedback,
13 including guidelines for the reporting on actions taken in
14 response to the feedback received: *Provided further*, That
15 the Department of State and USAID shall regularly con-
16 duct oversight to ensure that such feedback is regularly
17 collected and used by implementing partners to maximize
18 the cost-effectiveness and utility of such assistance.

19 (n) HIV/AIDS WORKING CAPITAL FUND.—Funds
20 available in the HIV/AIDS Working Capital Fund estab-
21 lished pursuant to section 525(b)(1) of the Foreign Oper-
22 ations, Export Financing, and Related Programs Appro-
23 priations Act, 2005 (Public Law 108–447) may be made
24 available for pharmaceuticals and other products for child
25 survival, malaria, and tuberculosis to the same extent as

1 HIV/AIDS pharmaceuticals and other products, subject to
2 the terms and conditions in such section: *Provided*, That
3 the authority in section 525(b)(5) of the Foreign Oper-
4 ations, Export Financing, and Related Programs Appro-
5 priation Act, 2005 (Public Law 108–447) shall be exer-
6 cised by the Assistant Administrator for Global Health,
7 USAID, with respect to funds deposited for such non-
8 HIV/AIDS pharmaceuticals and other products, and shall
9 be subject to the regular notification procedures of the
10 Committees on Appropriations: *Provided further*, That the
11 Secretary of State shall include in the congressional budg-
12 et justification an accounting of budgetary resources, dis-
13 bursements, balances, and reimbursements related to such
14 fund.

15 (o) LOANS, CONSULTATION, AND NOTIFICATION.—

16 (1) LOAN GUARANTEES.—Funds appropriated
17 under the headings “Economic Support Fund” and
18 “Assistance for Europe, Eurasia and Central Asia”
19 by this Act and prior Acts making appropriations
20 for the Department of State, foreign operations, and
21 related programs may be made available for the
22 costs, as defined in section 502 of the Congressional
23 Budget Act of 1974, of loan guarantees for Egypt,
24 Jordan, Tunisia, and Ukraine, which are authorized
25 to be provided: *Provided*, That amounts made avail-

1 able under this paragraph for the costs of such
2 guarantees shall not be considered assistance for the
3 purposes of provisions of law limiting assistance to
4 a country.

5 (2) DESIGNATION REQUIREMENT.—Funds
6 made available pursuant to paragraph (1) from prior
7 Acts making appropriations for the Department of
8 State, foreign operations, and related programs that
9 were previously designated by the Congress for Over-
10 seas Contingency Operations/Global War on Ter-
11 rorism pursuant to section 251(b)(2)(A)(ii) of the
12 Balanced Budget and Emergency Deficit Control
13 Act of 1985 are designated by the Congress for
14 Overseas Contingency Operations/Global War on
15 Terrorism pursuant to section 251(b)(2)(A)(ii) of
16 such Act.

17 (3) CONSULTATION AND NOTIFICATION.—
18 Funds made available pursuant to the authorities of
19 this subsection shall be subject to prior consultation
20 with the appropriate congressional committees and
21 the regular notification procedures of the Commit-
22 tees on Appropriations.

23 (p) LOCAL WORKS.—

24 (1) FUNDING.—Of the funds appropriated by
25 this Act under the headings “Development Assist-

1 ance” and “Economic Support Fund”, not less than
2 \$50,000,000 shall be made available for Local
3 Works pursuant to section 7080 of the Department
4 of State, Foreign Operations, and Related Programs
5 Appropriations Act, 2015 (division J of Public Law
6 113–235), which may remain available until Sep-
7 tember 30, 2024.

8 (2) ELIGIBLE ENTITIES.—For the purposes of
9 section 7080 of the Department of State, Foreign
10 Operations, and Related Programs Appropriations
11 Act, 2015 (division J of Public Law 113–235), “eli-
12 gible entities” shall be defined as small local, inter-
13 national, and United States-based nongovernmental
14 organizations, educational institutions, and other
15 small entities that have received less than a total of
16 \$5,000,000 from USAID over the previous 5 fiscal
17 years: *Provided*, That departments or centers of
18 such educational institutions may be considered indi-
19 vidually in determining such eligibility.

20 (q) WESTERN HEMISPHERE DRUG POLICY COMMIS-
21 SION.—Up to \$499,000 of the funds appropriated under
22 the heading “Western Hemisphere Drug Policy Commis-
23 sion, Salaries and Expenses” of the Department of State,
24 Foreign Operations, and Related Programs Appropria-
25 tions Act, 2019 (division F of Public Law 116–6) shall

1 remain available for obligation until September 30, 2021,
2 notwithstanding the period of availability under such
3 heading.

4 (r) DEFINITIONS.—

5 (1) APPROPRIATE CONGRESSIONAL COMMIT-
6 TEES.—Unless otherwise defined in this Act, for
7 purposes of this Act the term “appropriate congress-
8 sional committees” means the Committees on Appro-
9 priations and Foreign Relations of the Senate and
10 the Committees on Appropriations and Foreign Af-
11 fairs of the House of Representatives.

12 (2) FUNDS APPROPRIATED BY THIS ACT AND
13 PRIOR ACTS.—Unless otherwise defined in this Act,
14 for purposes of this Act the term “funds appro-
15 priated by this Act and prior Acts making appro-
16 priations for the Department of State, foreign oper-
17 ations, and related programs” means funds that re-
18 main available for obligation, and have not expired.

19 (3) INTERNATIONAL FINANCIAL INSTITU-
20 TIONS.—In this Act “international financial institu-
21 tions” means the International Bank for Recon-
22 struction and Development, the International Devel-
23 opment Association, the International Finance Cor-
24 poration, the Inter-American Development Bank, the
25 International Monetary Fund, the International

1 Fund for Agricultural Development, the Asian De-
2 velopment Fund, the Inter-American Investment
3 Corporation, the North American Development
4 Bank, the European Bank for Reconstruction and
5 Development, the African Development Bank, the
6 African Development Fund, and the Multilateral In-
7 vestment Guarantee Agency.

8 (4) SOUTHERN KORDOFAN.—Any reference to
9 Southern Kordofan in this or any other Act making
10 appropriations for the Department of State, foreign
11 operations, and related programs shall for this fiscal
12 year, and each fiscal year thereafter, be deemed to
13 include portions of Western Kordofan that were pre-
14 viously part of Southern Kordofan prior to the 2013
15 division of Southern Kordofan.

16 (5) USAID.—In this Act, the term “USAID”
17 means the United States Agency for International
18 Development.

19 (6) SPEND PLAN.—In this Act, the term
20 “spend plan” means a plan for the uses of funds ap-
21 propriated for a particular entity, country, program,
22 purpose, or account and which shall include, at a
23 minimum, a description of—

1 (A) realistic and sustainable goals, criteria
2 for measuring progress, and a timeline for
3 achieving such goals;

4 (B) amounts and sources of funds by ac-
5 count;

6 (C) how such funds will complement other
7 ongoing or planned programs; and

8 (D) implementing partners, to the max-
9 imum extent practicable.

10 (7) SUCCESSOR OPERATING UNIT.—Any ref-
11 erence to a particular USAID operating unit or of-
12 fice in this or prior Acts making appropriations for
13 the Department of State, foreign operations, and re-
14 lated programs shall be deemed to include any suc-
15 cessor operating unit or office performing the same
16 or similar functions.

17 LAW ENFORCEMENT AND SECURITY

18 SEC. 7035. (a) ASSISTANCE.—

19 (1) COMMUNITY-BASED POLICE ASSISTANCE.—
20 Funds made available under titles III and IV of this
21 Act to carry out the provisions of chapter 1 of part
22 I and chapters 4 and 6 of part II of the Foreign As-
23 sistance Act of 1961, may be used, notwithstanding
24 section 660 of that Act, to enhance the effectiveness
25 and accountability of civilian police authority

1 through training and technical assistance in human
2 rights, the rule of law, anti-corruption, strategic
3 planning, and through assistance to foster civilian
4 police roles that support democratic governance, in-
5 cluding assistance for programs to prevent conflict,
6 respond to disasters, address gender-based violence,
7 and foster improved police relations with the com-
8 munities they serve.

9 (2) COUNTERTERRORISM PARTNERSHIPS
10 FUND.—Funds appropriated by this Act under the
11 heading “Nonproliferation, Anti-terrorism, Demining
12 and Related Programs” shall be made available for
13 the Counterterrorism Partnerships Fund for pro-
14 grams in areas liberated from, under the influence
15 of, or adversely affected by, the Islamic State of Iraq
16 and Syria or other terrorist organizations: *Provided*,
17 That such areas shall include the Kurdistan Region
18 of Iraq: *Provided further*, That prior to the obliga-
19 tion of funds made available pursuant to this para-
20 graph, the Secretary of State shall take all prac-
21 ticable steps to ensure that mechanisms are in place
22 for monitoring, oversight, and control of such funds:
23 *Provided further*, That funds made available pursu-
24 ant to this paragraph shall be subject to prior con-
25 sultation with the appropriate congressional commit-

1 tees, and the regular notification procedures of the
2 Committees on Appropriations.

3 (3) COMBAT CASUALTY CARE.—(A) Consistent
4 with the objectives of the Foreign Assistance Act of
5 1961 and the Arms Export Control Act, funds ap-
6 propriated by this Act under the headings “Peace-
7 keeping Operations” and “Foreign Military Financ-
8 ing Program” shall be made available for combat
9 casualty training and equipment.

10 (B) The Secretary of State shall offer combat
11 casualty care training and equipment as a compo-
12 nent of any package of lethal assistance funded by
13 this Act with funds appropriated under the headings
14 “Peacekeeping Operations” and “Foreign Military
15 Financing Program”: *Provided*, That the require-
16 ment of this subparagraph shall apply to a country
17 in conflict, unless the Secretary determines that
18 such country has in place, to the maximum extent
19 practicable, functioning combat casualty care treat-
20 ment and equipment that meets or exceeds the
21 standards recommended by the Committee on Tac-
22 tical Combat Casualty Care: *Provided further*, That
23 any such training and equipment for combat cas-
24 ualty care shall be made available through an open
25 and competitive process.

1 (4) TRAINING RELATED TO INTERNATIONAL
2 HUMANITARIAN LAW.—The Secretary of State shall
3 offer training related to the requirements of inter-
4 national humanitarian law as a component of any
5 package of lethal assistance funded by this Act with
6 funds appropriated under the headings “Peace-
7 keeping Operations” and “Foreign Military Financ-
8 ing Program”: *Provided*, That the requirement of
9 this paragraph shall not apply to a country that is
10 a member of the North Atlantic Treaty Organization
11 (NATO), is a major non-NATO ally designated by
12 section 517(b) of the Foreign Assistance Act of
13 1961, or is complying with international humani-
14 tarian law: *Provided further*, That any such training
15 shall be made available through an open and com-
16 petitive process.

17 (5) SECURITY FORCE PROFESSIONALIZATION.—
18 Funds appropriated by this Act under the headings
19 “International Narcotics Control and Law Enforce-
20 ment” and “Peacekeeping Operations” shall be
21 made available to increase the capacity of foreign
22 military and law enforcement personnel to operate in
23 accordance with appropriate standards relating to
24 human rights and the protection of civilians in the
25 manner specified under this section in Senate Report

1 116–126, following consultation with the Commit-
2 tees on Appropriations: *Provided*, That funds made
3 available pursuant to this paragraph shall be made
4 available through an open and competitive process.

5 (6) GLOBAL SECURITY CONTINGENCY FUND.—
6 Notwithstanding any other provision of this Act, up
7 to \$7,500,000 from funds appropriated by this Act
8 under the headings “Peacekeeping Operations” and
9 “Foreign Military Financing Program” may be
10 transferred to, and merged with, funds previously
11 made available under the heading “Global Security
12 Contingency Fund”, subject to the regular notifica-
13 tion procedures of the Committees on Appropria-
14 tions.

15 (7) INTERNATIONAL PRISON CONDITIONS.—Of
16 the funds appropriated by this Act under the head-
17 ings “Development Assistance”, “Economic Support
18 Fund”, and “International Narcotics Control and
19 Law Enforcement”, not less than \$7,500,000 shall
20 be made available for assistance to eliminate inhu-
21 mane conditions in foreign prisons and other deten-
22 tion facilities, notwithstanding section 660 of the
23 Foreign Assistance Act of 1961: *Provided*, That the
24 Secretary of State and the USAID Administrator
25 shall consult with the Committees on Appropriations

1 on the proposed uses of such funds prior to obliga-
2 tion and not later than 60 days after enactment of
3 this Act: *Provided further*, That such funds shall be
4 in addition to funds otherwise made available by this
5 Act for such purpose.

6 (b) AUTHORITIES.—

7 (1) RECONSTITUTING CIVILIAN POLICE AU-
8 THORITY.—In providing assistance with funds ap-
9 propriated by this Act under section 660(b)(6) of
10 the Foreign Assistance Act of 1961, support for a
11 nation emerging from instability may be deemed to
12 mean support for regional, district, municipal, or
13 other sub-national entity emerging from instability,
14 as well as a nation emerging from instability.

15 (2) DISARMAMENT, DEMOBILIZATION, AND RE-
16 INTEGRATION.—Section 7034(d) of the Department
17 of State, Foreign Operations, and Related Programs
18 Appropriations Act, 2015 (division J of Public Law
19 113–235) shall continue in effect during fiscal year
20 2020.

21 (3) EXTENSION OF WAR RESERVES STOCKPILE
22 AUTHORITY.—

23 (A) Section 12001(d) of the Department of
24 Defense Appropriations Act, 2005 (Public Law
25 108–287; 118 Stat. 1011) is amended by strik-

1 ing “of this section” and all that follows
2 through the period at the end and inserting “of
3 this section after September 30, 2021.”.

4 (B) Section 514(b)(2)(A) of the Foreign
5 Assistance Act of 1961 (22 U.S.C.
6 2321h(b)(2)(A)) is amended by striking “and
7 2020” and inserting “2020, and 2021”.

8 (4) COMMERCIAL LEASING OF DEFENSE ARTI-
9 CLES.—Notwithstanding any other provision of law,
10 and subject to the regular notification procedures of
11 the Committees on Appropriations, the authority of
12 section 23(a) of the Arms Export Control Act (22
13 U.S.C. 2763) may be used to provide financing to
14 Israel, Egypt, the North Atlantic Treaty Organiza-
15 tion (NATO), and major non-NATO allies for the
16 procurement by leasing (including leasing with an
17 option to purchase) of defense articles from United
18 States commercial suppliers, not including Major
19 Defense Equipment (other than helicopters and
20 other types of aircraft having possible civilian appli-
21 cation), if the President determines that there are
22 compelling foreign policy or national security reasons
23 for those defense articles being provided by commer-
24 cial lease rather than by government-to-government
25 sale under such Act.

1 (5) SPECIAL DEFENSE ACQUISITION FUND.—
2 Not to exceed \$900,000,000 may be obligated pursu-
3 ant to section 51(c)(2) of the Arms Export Control
4 Act (22 U.S.C. 2795(c)(2)) for the purposes of the
5 Special Defense Acquisition Fund (the Fund), to re-
6 main available for obligation until September 30,
7 2022: *Provided*, That the provision of defense arti-
8 cles and defense services to foreign countries or
9 international organizations from the Fund shall be
10 subject to the concurrence of the Secretary of State.

11 (6) PUBLIC DISCLOSURE.—For the purposes of
12 funds appropriated by this Act and prior Acts mak-
13 ing appropriations for the Department of State, for-
14 eign operations, and related programs that are made
15 available for assistance for units of foreign security
16 forces, the term “to the maximum extent prac-
17 ticable” in section 620M(d)(7) of the Foreign Assist-
18 ance Act of 1961 (22 U.S.C. 2378d) means that the
19 identity of such units shall be made publicly avail-
20 able unless the Secretary of State, on a case-by-case
21 basis, determines and reports to the appropriate con-
22 gressional committees that disclosure would endan-
23 ger the safety of human sources or reveal sensitive
24 intelligence sources and methods, or that non-disclo-
25 sure is in the national security interest of the United

1 States: *Provided*, That any such determination shall
2 include a detailed justification, and may be sub-
3 mitted in classified form.

4 (7) DUTY TO INFORM.—If assistance to a for-
5 eign security force is provided in a manner in which
6 the recipient unit or units cannot be identified prior
7 to the transfer of assistance, the Secretary of State
8 shall provide a list of units prohibited from receiving
9 such assistance pursuant to section 620M of the
10 Foreign Assistance Act of 1961 to the recipient gov-
11 ernment.

12 (c) LIMITATIONS.—

13 (1) CHILD SOLDIERS.—Funds appropriated by
14 this Act should not be used to support any military
15 training or operations that include child soldiers.

16 (2) LANDMINES AND CLUSTER MUNITIONS.—

17 (A) LANDMINES.—Notwithstanding any
18 other provision of law, demining equipment
19 available to the United States Agency for Inter-
20 national Development and the Department of
21 State and used in support of the clearance of
22 landmines and unexploded ordnance for human-
23 itarian purposes may be disposed of on a grant
24 basis in foreign countries, subject to such terms

1 and conditions as the Secretary of State may
2 prescribe.

3 (B) CLUSTER MUNITIONS.—No military
4 assistance shall be furnished for cluster muni-
5 tions, no defense export license for cluster mu-
6 nitions may be issued, and no cluster munitions
7 or cluster munitions technology shall be sold or
8 transferred, unless—

9 (i) the submunitions of the cluster
10 munitions, after arming, do not result in
11 more than 1 percent unexploded ordnance
12 across the range of intended operational
13 environments, and the agreement applica-
14 ble to the assistance, transfer, or sale of
15 such cluster munitions or cluster munitions
16 technology specifies that the cluster muni-
17 tions will only be used against clearly de-
18 fined military targets and will not be used
19 where civilians are known to be present or
20 in areas normally inhabited by civilians; or

21 (ii) such assistance, license, sale, or
22 transfer is for the purpose of demilitarizing
23 or permanently disposing of such cluster
24 munitions.

1 (3) CROWD CONTROL ITEMS.—Funds appro-
2 priated by this Act should not be used for tear gas,
3 small arms, light weapons, ammunition, or other
4 items for crowd control purposes for foreign security
5 forces that use excessive force to repress peaceful ex-
6 pression, association, or assembly in countries that
7 the Secretary of State determines are undemocratic
8 or are undergoing democratic transitions.

9 (d) REPORTS.—

10 (1) SECURITY ASSISTANCE REPORT.—Not later
11 than 120 days after enactment of this Act, the Sec-
12 retary of State shall submit to the Committees on
13 Appropriations a report on funds obligated and ex-
14 pended during fiscal year 2019, by country and pur-
15 pose of assistance, under the headings “Peace-
16 keeping Operations”, “International Military Edu-
17 cation and Training”, and “Foreign Military Fi-
18 nancing Program”.

19 (2) ANNUAL FOREIGN MILITARY TRAINING RE-
20 PORT.—For the purposes of implementing section
21 656 of the Foreign Assistance Act of 1961, the term
22 “military training provided to foreign military per-
23 sonnel by the Department of Defense and the De-
24 partment of State” shall be deemed to include all
25 military training provided by foreign governments

1 with funds appropriated to the Department of De-
2 fense or the Department of State, except for train-
3 ing provided by the government of a country des-
4 ignated by section 517(b) of such Act (22 U.S.C.
5 2321k(b)) as a major non-North Atlantic Treaty Or-
6 ganization ally.

7 ARAB LEAGUE BOYCOTT OF ISRAEL

8 SEC. 7036. It is the sense of the Congress that—

9 (1) the Arab League boycott of Israel, and the
10 secondary boycott of American firms that have com-
11 mercial ties with Israel, is an impediment to peace
12 in the region and to United States investment and
13 trade in the Middle East and North Africa;

14 (2) the Arab League boycott, which was regret-
15 tably reinstated in 1997, should be immediately and
16 publicly terminated, and the Central Office for the
17 Boycott of Israel immediately disbanded;

18 (3) all Arab League states should normalize re-
19 lations with their neighbor Israel;

20 (4) the President and the Secretary of State
21 should continue to vigorously oppose the Arab
22 League boycott of Israel and find concrete steps to
23 demonstrate that opposition by, for example, taking
24 into consideration the participation of any recipient

1 country in the boycott when determining to sell
2 weapons to said country; and

3 (5) the President should report to Congress an-
4 nually on specific steps being taken by the United
5 States to encourage Arab League states to normalize
6 their relations with Israel to bring about the termi-
7 nation of the Arab League boycott of Israel, includ-
8 ing those to encourage allies and trading partners of
9 the United States to enact laws prohibiting busi-
10 nesses from complying with the boycott and penal-
11 izing businesses that do comply.

12 PALESTINIAN STATEHOOD

13 SEC. 7037. (a) LIMITATION ON ASSISTANCE.—None
14 of the funds appropriated under titles III through VI of
15 this Act may be provided to support a Palestinian state
16 unless the Secretary of State determines and certifies to
17 the appropriate congressional committees that—

18 (1) the governing entity of a new Palestinian
19 state—

20 (A) has demonstrated a firm commitment
21 to peaceful co-existence with the State of Israel;
22 and

23 (B) is taking appropriate measures to
24 counter terrorism and terrorist financing in the
25 West Bank and Gaza, including the dismantling

1 of terrorist infrastructures, and is cooperating
2 with appropriate Israeli and other appropriate
3 security organizations; and

4 (2) the Palestinian Authority (or the governing
5 entity of a new Palestinian state) is working with
6 other countries in the region to vigorously pursue ef-
7 forts to establish a just, lasting, and comprehensive
8 peace in the Middle East that will enable Israel and
9 an independent Palestinian state to exist within the
10 context of full and normal relationships, which
11 should include—

12 (A) termination of all claims or states of
13 belligerency;

14 (B) respect for and acknowledgment of the
15 sovereignty, territorial integrity, and political
16 independence of every state in the area through
17 measures including the establishment of demili-
18 tarized zones;

19 (C) their right to live in peace within se-
20 cure and recognized boundaries free from
21 threats or acts of force;

22 (D) freedom of navigation through inter-
23 national waterways in the area; and

24 (E) a framework for achieving a just set-
25 tlement of the refugee problem.

1 ASSISTANCE FOR THE WEST BANK AND GAZA

2 SEC. 7039. (a) OVERSIGHT.—For fiscal year 2020,
3 30 days prior to the initial obligation of funds for the bi-
4 lateral West Bank and Gaza Program, the Secretary of
5 State shall certify to the Committees on Appropriations
6 that procedures have been established to assure the Comp-
7 troller General of the United States will have access to
8 appropriate United States financial information in order
9 to review the uses of United States assistance for the Pro-
10 gram funded under the heading “Economic Support
11 Fund” for the West Bank and Gaza.

12 (b) VETTING.—Prior to the obligation of funds ap-
13 propriated by this Act under the heading “Economic Sup-
14 port Fund” for assistance for the West Bank and Gaza,
15 the Secretary of State shall take all appropriate steps to
16 ensure that such assistance is not provided to or through
17 any individual, private or government entity, or edu-
18 cational institution that the Secretary knows or has reason
19 to believe advocates, plans, sponsors, engages in, or has
20 engaged in, terrorist activity nor, with respect to private
21 entities or educational institutions, those that have as a
22 principal officer of the entity’s governing board or gov-
23 erning board of trustees any individual that has been de-
24 termined to be involved in, or advocating terrorist activity
25 or determined to be a member of a designated foreign ter-

1 rorist organization: *Provided*, That the Secretary of State
2 shall, as appropriate, establish procedures specifying the
3 steps to be taken in carrying out this subsection and shall
4 terminate assistance to any individual, entity, or edu-
5 cational institution which the Secretary has determined to
6 be involved in or advocating terrorist activity.

7 (c) PROHIBITION.—

8 (1) RECOGNITION OF ACTS OF TERRORISM.—

9 None of the funds appropriated under titles III
10 through VI of this Act for assistance under the West
11 Bank and Gaza Program may be made available
12 for—

13 (A) the purpose of recognizing or otherwise
14 honoring individuals who commit, or have com-
15 mitted acts of terrorism; and

16 (B) any educational institution located in
17 the West Bank or Gaza that is named after an
18 individual who the Secretary of State deter-
19 mines has committed an act of terrorism.

20 (2) SECURITY ASSISTANCE AND REPORTING RE-

21 QUIREMENT.—Notwithstanding any other provision
22 of law, none of the funds made available by this or
23 prior appropriations Acts, including funds made
24 available by transfer, may be made available for obli-
25 gation for security assistance for the West Bank and

1 Gaza until the Secretary of State reports to the
2 Committees on Appropriations on the benchmarks
3 that have been established for security assistance for
4 the West Bank and Gaza and reports on the extent
5 of Palestinian compliance with such benchmarks.

6 (d) OVERSIGHT BY THE UNITED STATES AGENCY
7 FOR INTERNATIONAL DEVELOPMENT.—

8 (1) The Administrator of the United States
9 Agency for International Development shall ensure
10 that Federal or non-Federal audits of all contractors
11 and grantees, and significant subcontractors and
12 sub-grantees, under the West Bank and Gaza Pro-
13 gram, are conducted at least on an annual basis to
14 ensure, among other things, compliance with this
15 section.

16 (2) Of the funds appropriated by this Act, up
17 to \$1,000,000 may be used by the Office of Inspec-
18 tor General of the United States Agency for Inter-
19 national Development for audits, investigations, and
20 other activities in furtherance of the requirements of
21 this subsection: *Provided*, That such funds are in ad-
22 dition to funds otherwise available for such pur-
23 poses.

24 (e) COMPTROLLER GENERAL OF THE UNITED
25 STATES AUDIT.—Subsequent to the certification specified

1 in subsection (a), the Comptroller General of the United
2 States shall conduct an audit and an investigation of the
3 treatment, handling, and uses of all funds for the bilateral
4 West Bank and Gaza Program, including all funds pro-
5 vided as cash transfer assistance, in fiscal year 2020
6 under the heading “Economic Support Fund”, and such
7 audit shall address—

8 (1) the extent to which such Program complies
9 with the requirements of subsections (b) and (c);
10 and

11 (2) an examination of all programs, projects,
12 and activities carried out under such Program, in-
13 cluding both obligations and expenditures.

14 (f) NOTIFICATION PROCEDURES.—Funds made
15 available in this Act for West Bank and Gaza shall be
16 subject to the regular notification procedures of the Com-
17 mittees on Appropriations.

18 LIMITATION ON ASSISTANCE FOR THE PALESTINIAN

19 AUTHORITY

20 SEC. 7040. (a) PROHIBITION OF FUNDS.—None of
21 the funds appropriated by this Act to carry out the provi-
22 sions of chapter 4 of part II of the Foreign Assistance
23 Act of 1961 may be obligated or expended with respect
24 to providing funds to the Palestinian Authority.

1 (b) WAIVER.—The prohibition included in subsection
2 (a) shall not apply if the President certifies in writing to
3 the Speaker of the House of Representatives, the Presi-
4 dent pro tempore of the Senate, and the Committees on
5 Appropriations that waiving such prohibition is important
6 to the national security interest of the United States.

7 (c) PERIOD OF APPLICATION OF WAIVER.—Any
8 waiver pursuant to subsection (b) shall be effective for no
9 more than a period of 6 months at a time and shall not
10 apply beyond 12 months after the enactment of this Act.

11 (d) REPORT.—Whenever the waiver authority pursu-
12 ant to subsection (b) is exercised, the President shall sub-
13 mit a report to the Committees on Appropriations detail-
14 ing the justification for the waiver, the purposes for which
15 the funds will be spent, and the accounting procedures in
16 place to ensure that the funds are properly disbursed: *Pro-*
17 *vided*, That the report shall also detail the steps the Pales-
18 tinian Authority has taken to arrest terrorists, confiscate
19 weapons and dismantle the terrorist infrastructure.

20 (e) CERTIFICATION.—If the President exercises the
21 waiver authority under subsection (b), the Secretary of
22 State must certify and report to the Committees on Ap-
23 propriations prior to the obligation of funds that the Pal-
24 estinian Authority has established a single treasury ac-
25 count for all Palestinian Authority financing and all fi-

1 nancing mechanisms flow through this account, no parallel
2 financing mechanisms exist outside of the Palestinian Au-
3 thority treasury account, and there is a single comprehen-
4 sive civil service roster and payroll, and the Palestinian
5 Authority is acting to counter incitement of violence
6 against Israelis and is supporting activities aimed at pro-
7 moting peace, coexistence, and security cooperation with
8 Israel.

9 (f) PROHIBITION TO HAMAS AND THE PALESTINE
10 LIBERATION ORGANIZATION.—

11 (1) None of the funds appropriated in titles III
12 through VI of this Act may be obligated for salaries
13 of personnel of the Palestinian Authority located in
14 Gaza or may be obligated or expended for assistance
15 to Hamas or any entity effectively controlled by
16 Hamas, any power-sharing government of which
17 Hamas is a member, or that results from an agree-
18 ment with Hamas and over which Hamas exercises
19 undue influence.

20 (2) Notwithstanding the limitation of paragraph
21 (1), assistance may be provided to a power-sharing
22 government only if the President certifies and re-
23 ports to the Committees on Appropriations that such
24 government, including all of its ministers or such
25 equivalent, has publicly accepted and is complying

1 with the principles contained in section 620K(b)(1)
2 (A) and (B) of the Foreign Assistance Act of 1961,
3 as amended.

4 (3) The President may exercise the authority in
5 section 620K(e) of the Foreign Assistance Act of
6 1961, as added by the Palestinian Anti-Terrorism
7 Act of 2006 (Public Law 109–446) with respect to
8 this subsection.

9 (4) Whenever the certification pursuant to
10 paragraph (2) is exercised, the Secretary of State
11 shall submit a report to the Committees on Appro-
12 priations within 120 days of the certification and
13 every quarter thereafter on whether such govern-
14 ment, including all of its ministers or such equiva-
15 lent are continuing to comply with the principles
16 contained in section 620K(b)(1) (A) and (B) of the
17 Foreign Assistance Act of 1961, as amended: *Pro-*
18 *vided*, That the report shall also detail the amount,
19 purposes and delivery mechanisms for any assistance
20 provided pursuant to the abovementioned certifi-
21 cation and a full accounting of any direct support of
22 such government.

23 (5) None of the funds appropriated under titles
24 III through VI of this Act may be obligated for as-
25 sistance for the Palestine Liberation Organization.

1 MIDDLE EAST AND NORTH AFRICA

2 SEC. 7041. (a) EGYPT.—

3 (1) CERTIFICATION AND REPORT.—Funds ap-
4 propriated by this Act that are available for assist-
5 ance for Egypt may be made available notwith-
6 standing any other provision of law restricting as-
7 sistance for Egypt, except for this subsection and
8 section 620M of the Foreign Assistance Act of 1961,
9 and may only be made available for assistance for
10 the Government of Egypt if the Secretary of State
11 certifies and reports to the Committees on Appro-
12 priations that such government is—

13 (A) sustaining the strategic relationship
14 with the United States; and

15 (B) meeting its obligations under the 1979
16 Egypt-Israel Peace Treaty.

17 (2) ECONOMIC SUPPORT FUND.—Of the funds
18 appropriated by this Act under the heading “Eco-
19 nomic Support Fund”, not less than \$125,000,000
20 shall be made available for assistance for Egypt, of
21 which not less than \$40,000,000 should be made
22 available for higher education programs, including
23 not less than \$15,000,000 for scholarships for Egyp-
24 tian students with high financial need to attend not-
25 for-profit institutions of higher education in Egypt

1 that are currently accredited by a regional accred-
2 iting agency recognized by the United States De-
3 partment of Education, or meets standards equiva-
4 lent to those required for United States institutional
5 accreditation by a regional accrediting agency recog-
6 nized by such Department: *Provided*, That such
7 funds shall be made available for democracy pro-
8 grams, and for development programs in the Sinai:
9 *Provided further*, That such funds may not be made
10 available for cash transfer assistance or budget sup-
11 port unless the Secretary of State certifies and re-
12 ports to the appropriate congressional committees
13 that the Government of Egypt is taking consistent
14 and effective steps to stabilize the economy and im-
15 plement market-based economic reforms.

16 (3) FOREIGN MILITARY FINANCING PRO-
17 GRAM.—(A) Of the funds appropriated by this Act
18 under the heading “Foreign Military Financing Pro-
19 gram”, \$1,300,000,000, to remain available until
20 September 30, 2021, should be made available for
21 assistance for Egypt: *Provided*, That such funds
22 may be transferred to an interest bearing account in
23 the Federal Reserve Bank of New York, following
24 consultation with the Committees on Appropriations,
25 and the uses of any interest earned on such funds

1 shall be subject to the regular notification proce-
2 dures of the Committees on Appropriations: *Pro-*
3 *vided further*, That \$300,000,000 of such funds shall
4 be withheld from obligation until the Secretary of
5 State certifies and reports to the Committees on Ap-
6 propriations that the Government of Egypt is taking
7 sustained and effective steps to—

8 (i) strengthen the rule of law, democratic
9 institutions, and human rights in Egypt, includ-
10 ing to protect religious minorities and the rights
11 of women, which are in addition to steps taken
12 during the previous calendar year for such pur-
13 poses;

14 (ii) implement reforms that protect free-
15 doms of expression, association, and peaceful
16 assembly, including the ability of civil society
17 organizations, human rights defenders, and the
18 media to function without interference;

19 (iii) release political prisoners and provide
20 detainees with due process of law;

21 (iv) hold Egyptian security forces account-
22 able, including officers credibly alleged to have
23 violated human rights;

1 (v) investigate and prosecute cases of
2 extrajudicial killings and forced disappearances;
3 and

4 (vi) provide regular access for United
5 States officials to monitor such assistance in
6 areas where the assistance is used:

7 *Provided further*, That the certification requirement
8 of this paragraph shall not apply to funds appro-
9 priated by this Act under such heading for counter-
10 terrorism, border security, and nonproliferation pro-
11 grams for Egypt.

12 (B) The Secretary of State may waive the cer-
13 tification requirement in subparagraph (A) if the
14 Secretary determines and reports to the Committees
15 on Appropriations that to do so is important to the
16 national security interest of the United States, and
17 submits a report to such Committees containing a
18 detailed justification for the use of such waiver and
19 the reasons why any of the requirements of subpara-
20 graph (A) cannot be met: *Provided*, That the report
21 required by this paragraph shall be submitted in un-
22 classified form, but may be accompanied by a classi-
23 fied annex.

24 (4) REPORT.—Not later than 30 days after en-
25 actment of this Act, and every 60 days thereafter,

1 the Secretary of State shall submit a report to the
2 appropriate congressional committees describing and
3 assessing the actions taken by the Government of
4 Egypt during the previous 60 days to fairly com-
5 pensate April Corley for injuries and losses sus-
6 tained as a result of the attack on her tour group
7 by the Egyptian military on September 13, 2015,
8 and progress in resolving her case: *Provided*, That if
9 the Secretary reports that no progress has been
10 made in the previous 60 days, the report shall in-
11 clude the reasons for the lack of progress.

12 (b) IRAN.—

13 (1) FUNDING.—Funds appropriated by this Act
14 under the headings “Diplomatic Programs”, “Eco-
15 nomic Support Fund”, and “Nonproliferation, Anti-
16 terrorism, Demining and Related Programs” shall
17 be made available for the programs and activities de-
18 scribed under this section in House Report 116–78.

19 (2) REPORTS.—

20 (A) SEMI-ANNUAL REPORT.—The Sec-
21 retary of State shall submit to the Committees
22 on Appropriations the semi-annual report re-
23 quired by section 135(d)(4) of the Atomic En-
24 ergy Act of 1954 (42 U.S.C. 2160e(d)(4)), as

1 added by section 2 of the Iran Nuclear Agree-
2 ment Review Act of 2015 (Public Law 114–17).

3 (B) SANCTIONS REPORT.—Not later than
4 180 days after the date of enactment of this
5 Act, the Secretary of State, in consultation with
6 the Secretary of the Treasury, shall submit to
7 the appropriate congressional committees a re-
8 port on—

9 (i) the status of United States bilat-
10 eral sanctions on Iran;

11 (ii) the reimposition and renewed en-
12 forcement of secondary sanctions; and

13 (iii) the impact such sanctions have
14 had on Iran’s destabilizing activities
15 throughout the Middle East.

16 (c) IRAQ.—

17 (1) PURPOSES.—Funds appropriated under ti-
18 tles III and IV of this Act shall be made available
19 for assistance for Iraq for—

20 (A) bilateral economic assistance and inter-
21 national security assistance, including in the
22 Kurdistan Region of Iraq and for the Marla
23 Ruzicka Iraqi War Victims Fund;

24 (B) stabilization assistance, including in
25 Anbar Province;

1 (C) humanitarian assistance, including in
2 the Kurdistan Region of Iraq; and

3 (D) programs to protect and assist reli-
4 gious and ethnic minority populations in Iraq,
5 including as described under this section in the
6 explanatory statement described in section 4 (in
7 the matter preceding division A of this consoli-
8 dated Act).

9 (2) UNITED STATES CONSULATE GENERAL
10 BASRAH.—Any change in the status of operations at
11 United States Consulate General Basrah, including
12 the return of Consulate property located adjacent to
13 the Basrah International Airport to the Government
14 of Iraq, shall be subject to prior consultation with
15 the appropriate congressional committees and the
16 regular notification procedures of the Committees on
17 Appropriations.

18 (3) BASING RIGHTS AGREEMENT.—None of the
19 funds appropriated or otherwise made available by
20 this Act may be used by the Government of the
21 United States to enter into a permanent basing
22 rights agreement between the United States and
23 Iraq.

24 (d) JORDAN.—

1 (1) ASSISTANCE APPROPRIATED BY THIS
2 ACT.—Of the funds appropriated by this Act under
3 titles III and IV, not less than \$1,525,000,000 shall
4 be made available for assistance for Jordan, of
5 which: not less than \$1,082,400,000 shall be made
6 available under the heading “Economic Support
7 Fund”, of which not less than \$745,100,000 shall be
8 made available for budget support for the Govern-
9 ment of Jordan; and not less than \$425,000,000
10 shall be made available under the heading “Foreign
11 Military Financing Program”.

12 (2) ASSISTANCE APPROPRIATED BY PRIOR
13 ACTS.—Of the funds appropriated under the heading
14 “Economic Support Fund” in prior Acts making ap-
15 propriations for the Department of State, foreign
16 operations, and related programs, not less than
17 \$125,000,000 shall be made available for assistance
18 for Jordan, of which \$100,000,000 shall be made
19 available for budget support for the Government of
20 Jordan and \$25,000,000 shall be made available for
21 programs to increase electricity transmission to
22 neighboring countries, including Iraq: *Provided*,
23 That such funds are in addition to amounts other-
24 wise made available for such purposes.

25 (e) LEBANON.—

1 (1) ASSISTANCE.—Funds appropriated under
2 titles III and IV of this Act shall be made available
3 for assistance for Lebanon: *Provided*, That such
4 funds made available under the heading “Economic
5 Support Fund” may be made available notwith-
6 standing section 1224 of the Foreign Relations Au-
7 thorization Act, Fiscal Year 2003 (Public Law 107–
8 228; 22 U.S.C. 2346 note).

9 (2) SECURITY ASSISTANCE.—

10 (A) Funds appropriated by this Act under
11 the headings “International Narcotics Control
12 and Law Enforcement” and “Foreign Military
13 Financing Program” that are made available
14 for assistance for Lebanon may be made avail-
15 able for programs and equipment for the Leba-
16 nese Internal Security Forces (ISF) and the
17 Lebanese Armed Forces (LAF) to address secu-
18 rity and stability requirements in areas affected
19 by conflict in Syria, following consultation with
20 the appropriate congressional committees.

21 (B) Funds appropriated by this Act under
22 the heading “Foreign Military Financing Pro-
23 gram” that are made available for assistance
24 for Lebanon may only be made available for
25 programs to—

1 (i) professionalize the LAF to miti-
2 gate internal and external threats from
3 non-state actors, including Hizballah;

4 (ii) strengthen border security and
5 combat terrorism, including training and
6 equipping the LAF to secure the borders
7 of Lebanon and address security and sta-
8 bility requirements in areas affected by
9 conflict in Syria, interdicting arms ship-
10 ments, and preventing the use of Lebanon
11 as a safe haven for terrorist groups; and

12 (iii) implement United Nations Secu-
13 rity Council Resolution 1701:

14 *Provided*, That prior to obligating funds made
15 available by this subparagraph for assistance
16 for the LAF, the Secretary of State shall sub-
17 mit to the Committees on Appropriations a
18 spend plan, including actions to be taken to en-
19 sure equipment provided to the LAF is used
20 only for the intended purposes, except such plan
21 may not be considered as meeting the notifica-
22 tion requirements under section 7015 of this
23 Act or under section 634A of the Foreign As-
24 sistance Act of 1961, and shall be submitted
25 not later than September 1, 2020: *Provided fur-*

1 *ther*, That any notification submitted pursuant
2 to such section shall include any funds specifi-
3 cally intended for lethal military equipment.

4 (3) LIMITATION.—None of the funds appro-
5 priated by this Act may be made available for the
6 ISF or the LAF if the ISF or the LAF is controlled
7 by a foreign terrorist organization, as designated
8 pursuant to section 219 of the Immigration and Na-
9 tionality Act (8 U.S.C. 1189).

10 (f) LIBYA.—

11 (1) ASSISTANCE.—Funds appropriated under
12 titles III and IV of this Act shall be made available
13 for stabilization assistance for Libya, including sup-
14 port for a United Nations-facilitated political process
15 and border security: *Provided*, That the limitation on
16 the uses of funds for certain infrastructure projects
17 in section 7041(f)(2) of the Department of State,
18 Foreign Operations, and Related Programs Appro-
19 priations Act, 2014 (division K of Public Law 113–
20 76) shall apply to such funds.

21 (2) CERTIFICATION.—Prior to the initial obliga-
22 tion of funds made available by this Act for assist-
23 ance for Libya, the Secretary of State shall certify
24 and report to the Committees on Appropriations
25 that all practicable steps have been taken to ensure

1 that mechanisms are in place for monitoring, over-
2 sight, and control of such funds.

3 (g) MOROCCO.—

4 (1) AVAILABILITY AND CONSULTATION RE-
5 QUIREMENT.—Funds appropriated under title III of
6 this Act shall be made available for assistance for
7 the Western Sahara: *Provided*, That not later than
8 90 days after enactment of this Act and prior to the
9 obligation of such funds, the Secretary of State, in
10 consultation with the Administrator of the United
11 States Agency for International Development, shall
12 consult with the Committees on Appropriations on
13 the proposed uses of such funds.

14 (2) FOREIGN MILITARY FINANCING PRO-
15 GRAM.—Funds appropriated by this Act under the
16 heading “Foreign Military Financing Program” that
17 are available for assistance for Morocco may only be
18 used for the purposes requested in the Congressional
19 Budget Justification, Foreign Operations, Fiscal
20 Year 2017.

21 (h) SAUDI ARABIA.—

22 (1) INTERNATIONAL MILITARY EDUCATION AND
23 TRAINING.—None of the funds appropriated by this
24 Act under the heading “International Military Edu-

1 cation and Training” may be made available for as-
2 sistance for the Government of Saudi Arabia.

3 (2) EXPORT-IMPORT BANK.—None of the funds
4 appropriated or otherwise made available by this Act
5 and prior Acts making appropriations for the De-
6 partment of State, foreign operations, and related
7 programs should be obligated or expended by the
8 Export-Import Bank of the United States to guar-
9 antee, insure, or extend (or participate in the exten-
10 sion of) credit in connection with the export of nu-
11 clear technology, equipment, fuel, materials, or other
12 nuclear technology-related goods or services to Saudi
13 Arabia unless the Government of Saudi Arabia—

14 (A) has in effect a nuclear cooperation
15 agreement pursuant to section 123 of the
16 Atomic Energy Act of 1954 (42 U.S.C. 2153);

17 (B) has committed to renounce uranium
18 enrichment and reprocessing on its territory
19 under that agreement; and

20 (C) has signed and implemented an Addi-
21 tional Protocol to its Comprehensive Safeguards
22 Agreement with the International Atomic En-
23 ergy Agency.

24 (i) SYRIA.—

1 (1) NON-LETHAL ASSISTANCE.—Of the funds
2 appropriated by this Act under the headings “Eco-
3 nomic Support Fund”, “International Narcotics
4 Control and Law Enforcement”, and “Peacekeeping
5 Operations”, not less than \$40,000,000 shall be
6 made available, notwithstanding any other provision
7 of law, for non-lethal stabilization assistance for
8 Syria, of which not less than \$7,000,000 shall be
9 made available for emergency medical and rescue re-
10 sponse and chemical weapons use investigations.

11 (2) LIMITATIONS.—Funds made available pur-
12 suant to paragraph (1) of this subsection—

13 (A) may not be made available for a
14 project or activity that supports or otherwise le-
15 gitimizes the Government of Iran, foreign ter-
16 rorist organizations (as designated pursuant to
17 section 219 of the Immigration and Nationality
18 Act (8 U.S.C. 1189)), or a proxy of Iran in
19 Syria;

20 (B) may not be made available for activi-
21 ties that further the strategic objectives of the
22 Government of the Russian Federation that the
23 Secretary of State determines may threaten or
24 undermine United States national security in-
25 terests; and

1 (C) should not be used in areas of Syria
2 controlled by a government led by Bashar al-
3 Assad or associated forces.

4 (3) MONITORING AND OVERSIGHT.—Prior to
5 the obligation of any funds appropriated by this Act
6 and made available for assistance for Syria, the Sec-
7 retary of State shall take all practicable steps to en-
8 sure that mechanisms are in place for monitoring,
9 oversight, and control of such assistance inside
10 Syria.

11 (4) CONSULTATION AND NOTIFICATION.—
12 Funds made available pursuant to this subsection
13 may only be made available following consultation
14 with the appropriate congressional committees, and
15 shall be subject to the regular notification proce-
16 dures of the Committees on Appropriations.

17 (j) TUNISIA.—

18 (1) ASSISTANCE APPROPRIATED BY THIS
19 ACT.—Of the funds appropriated under titles III
20 and IV of this Act, not less than \$191,400,000 shall
21 be made available for assistance for Tunisia.

22 (2) ASSISTANCE APPROPRIATED BY PRIOR
23 ACTS.—Of the funds appropriated under the heading
24 “Economic Support Fund” in prior Acts making ap-
25 propriations for the Department of State, foreign

1 operations, and related programs, not less than
2 \$50,000,000 shall be made available for assistance
3 for Tunisia: *Provided*, That such funds are in addi-
4 tion to amounts otherwise made available for such
5 purposes.

6 (k) WEST BANK AND GAZA.—

7 (1) REPORT ON ASSISTANCE.—Prior to the ini-
8 tial obligation of funds made available by this Act
9 under the heading “Economic Support Fund” for
10 assistance for the West Bank and Gaza, the Sec-
11 retary of State shall report to the Committees on
12 Appropriations that the purpose of such assistance
13 is to—

14 (A) advance Middle East peace;

15 (B) improve security in the region;

16 (C) continue support for transparent and
17 accountable government institutions;

18 (D) promote a private sector economy; or

19 (E) address urgent humanitarian needs.

20 (2) LIMITATIONS.—

21 (A)(i) None of the funds appropriated
22 under the heading “Economic Support Fund”
23 in this Act may be made available for assistance
24 for the Palestinian Authority, if after the date
25 of enactment of this Act—

1 (I) the Palestinians obtain the same
2 standing as member states or full member-
3 ship as a state in the United Nations or
4 any specialized agency thereof outside an
5 agreement negotiated between Israel and
6 the Palestinians; or

7 (II) the Palestinians initiate an Inter-
8 national Criminal Court (ICC) judicially
9 authorized investigation, or actively sup-
10 port such an investigation, that subjects
11 Israeli nationals to an investigation for al-
12 leged crimes against Palestinians.

13 (ii) The Secretary of State may waive the
14 restriction in clause (i) of this subparagraph re-
15 sulting from the application of subclause (I) of
16 such clause if the Secretary certifies to the
17 Committees on Appropriations that to do so is
18 in the national security interest of the United
19 States, and submits a report to such Commit-
20 tees detailing how the waiver and the continu-
21 ation of assistance would assist in furthering
22 Middle East peace.

23 (B)(i) The President may waive the provi-
24 sions of section 1003 of the Foreign Relations
25 Authorization Act, Fiscal Years 1988 and 1989

1 (Public Law 100–204) if the President deter-
2 mines and certifies in writing to the Speaker of
3 the House of Representatives, the President pro
4 tempore of the Senate, and the appropriate con-
5 gressional committees that the Palestinians
6 have not, after the date of enactment of this
7 Act—

8 (I) obtained in the United Nations or
9 any specialized agency thereof the same
10 standing as member states or full member-
11 ship as a state outside an agreement nego-
12 tiated between Israel and the Palestinians;
13 and

14 (II) initiated or actively supported an
15 ICC investigation against Israeli nationals
16 for alleged crimes against Palestinians.

17 (ii) Not less than 90 days after the Presi-
18 dent is unable to make the certification pursu-
19 ant to clause (i) of this subparagraph, the
20 President may waive section 1003 of Public
21 Law 100–204 if the President determines and
22 certifies in writing to the Speaker of the House
23 of Representatives, the President pro tempore
24 of the Senate, and the Committees on Appro-
25 priations that the Palestinians have entered

1 into direct and meaningful negotiations with
2 Israel: *Provided*, That any waiver of the provi-
3 sions of section 1003 of Public Law 100–204
4 under clause (i) of this subparagraph or under
5 previous provisions of law must expire before
6 the waiver under the preceding sentence may be
7 exercised.

8 (iii) Any waiver pursuant to this subpara-
9 graph shall be effective for no more than a pe-
10 riod of 6 months at a time and shall not apply
11 beyond 12 months after the enactment of this
12 Act.

13 (3) REDUCTION.—The Secretary of State shall
14 reduce the amount of assistance made available by
15 this Act under the heading “Economic Support
16 Fund” for the Palestinian Authority by an amount
17 the Secretary determines is equivalent to the amount
18 expended by the Palestinian Authority, the Palestine
19 Liberation Organization, and any successor or affili-
20 ated organizations with such entities as payments
21 for acts of terrorism by individuals who are impris-
22 oned after being fairly tried and convicted for acts
23 of terrorism and by individuals who died committing
24 acts of terrorism during the previous calendar year:
25 *Provided*, That the Secretary shall report to the

1 Committees on Appropriations on the amount re-
2 duced for fiscal year 2020 prior to the obligation of
3 funds for the Palestinian Authority.

4 (4) PRIVATE SECTOR PARTNERSHIP PRO-
5 GRAMS.—Funds appropriated by this Act and prior
6 Acts making appropriations for the Department of
7 State, foreign operations, and related programs may
8 be made available for private sector partnership pro-
9 grams for the West Bank and Gaza if such funds
10 are authorized: *Provided*, That funds made available
11 pursuant to this paragraph shall be subject to prior
12 consultation with the appropriate congressional com-
13 mittees, and the regular notification procedures of
14 the Committees on Appropriations.

15 (5) SECURITY REPORT.—The reporting require-
16 ments in section 1404 of the Supplemental Appro-
17 priations Act, 2008 (Public Law 110–252) shall
18 apply to funds made available by this Act, including
19 a description of modifications, if any, to the security
20 strategy of the Palestinian Authority.

21 (6) INCITEMENT REPORT.—Not later than 90
22 days after enactment of this Act, the Secretary of
23 State shall submit a report to the appropriate con-
24 gressional committees detailing steps taken by the
25 Palestinian Authority to counter incitement of vio-

1 lence against Israelis and to promote peace and co-
2 existence with Israel.

3 (l) YEMEN.—Funds appropriated under title III of
4 this Act and prior Acts making appropriations for the De-
5 partment of State, foreign operations, and related pro-
6 grams shall be made available for stabilization assistance
7 for Yemen.

8 AFRICA

9 SEC. 7042. (a) AFRICAN GREAT LAKES REGION AS-
10 SISTANCE RESTRICTION.—Funds appropriated by this Act
11 under the heading “International Military Education and
12 Training” for the central government of a country in the
13 African Great Lakes region may be made available only
14 for Expanded International Military Education and Train-
15 ing and professional military education until the Secretary
16 of State determines and reports to the Committees on Ap-
17 propriations that such government is not facilitating or
18 otherwise participating in destabilizing activities in a
19 neighboring country, including aiding and abetting armed
20 groups.

21 (b) CAMEROON.—Funds appropriated under title IV
22 of this Act that are made available for assistance for the
23 armed forces of Cameroon, including the Rapid Interven-
24 tion Battalion, may only be made available to counter re-
25 gional terrorism, including Boko Haram and other Islamic

1 State affiliates, participate in international peacekeeping
2 operations, and for military education and maritime secu-
3 rity programs.

4 (c) CENTRAL AFRICAN REPUBLIC.—Of the funds ap-
5 propriated by this Act under the heading “Economic Sup-
6 port Fund”, not less than \$3,000,000 shall be made avail-
7 able for a contribution to the Special Criminal Court in
8 Central African Republic.

9 (d) DEMOCRATIC REPUBLIC OF THE CONGO.—Funds
10 appropriated by this Act under titles III and IV shall be
11 made available for assistance for the Democratic Republic
12 of the Congo for stabilization, global health, and bilateral
13 economic assistance, including in areas affected by, and
14 at risk from, the Ebola virus disease.

15 (e) LAKE CHAD BASIN COUNTRIES.—Funds appro-
16 priated under titles III and IV of this Act shall be made
17 available, following consultation with the Committees on
18 Appropriations, for assistance for Cameroon, Chad, Niger,
19 and Nigeria for—

20 (1) democracy, development, and health pro-
21 grams;

22 (2) assistance for individuals targeted by for-
23 eign terrorist and other extremist organizations, in-
24 cluding Boko Haram, consistent with the provisions
25 of section 7059 of this Act;

1 (3) assistance for individuals displaced by vio-
2 lent conflict; and

3 (4) counterterrorism programs.

4 (f) MALAWI.—Of the funds appropriated by this Act
5 under the heading “Development Assistance”, not less
6 than \$60,000,000 shall be made available for assistance
7 for Malawi, of which up to \$10,000,000 shall be made
8 available for higher education programs.

9 (g) SAHEL STABILIZATION AND SECURITY.—Funds
10 appropriated under titles III and IV of this Act shall be
11 made available for stabilization, health, development, and
12 security programs in the countries of the Sahel region.

13 (h) SOUTH SUDAN.—

14 (1) ASSISTANCE.—Of the funds appropriated
15 under title III of this Act that are made available
16 for assistance for South Sudan, not less than
17 \$15,000,000 shall be made available for democracy
18 programs and not less than \$8,000,000 shall be
19 made available for conflict mitigation and reconcili-
20 ation programs.

21 (2) LIMITATION ON ASSISTANCE FOR THE CEN-
22 TRAL GOVERNMENT.—Funds appropriated by this
23 Act that are made available for assistance for the
24 central Government of South Sudan may only be

1 made available, following consultation with the Com-
2 mittees on Appropriations, for—

3 (A) humanitarian assistance;

4 (B) health programs, including to prevent,
5 detect, and respond to the Ebola virus disease;

6 (C) assistance to support South Sudan
7 peace negotiations or to advance or implement
8 a peace agreement; and

9 (D) assistance to support implementation
10 of outstanding issues of the Comprehensive
11 Peace Agreement and mutual arrangements re-
12 lated to such agreement:

13 *Provided*, That prior to the initial obligation of funds
14 made available pursuant to subparagraphs (C) and (D),
15 the Secretary of State shall consult with the Committees
16 on Appropriations on the intended uses of such funds and
17 steps taken by such government to advance or implement
18 a peace agreement.

19 (i) SUDAN.—

20 (1) LIMITATIONS ON ASSISTANCE AND
21 LOANS.—(A) Notwithstanding any other provision of
22 law, none of the funds appropriated by this Act may
23 be made available for assistance for the Government
24 of Sudan.

1 (B) None of the funds appropriated by this Act
2 may be made available for the cost, as defined in
3 section 502 of the Congressional Budget Act of
4 1974, of modifying loans and loan guarantees held
5 by the Government of Sudan, including the cost of
6 selling, reducing, or canceling amounts owed to the
7 United States, and modifying concessional loans,
8 guarantees, and credit agreements.

9 (2) EXCLUSIONS.—The limitations of para-
10 graph (1) shall not apply to—

11 (A) humanitarian assistance;

12 (B) assistance for democracy, health, agri-
13 culture, economic growth, and education pro-
14 grams;

15 (C) assistance for the Darfur region,
16 Southern Kordofan State, Blue Nile State,
17 other marginalized areas and populations in
18 Sudan, and Abyei; and

19 (D) assistance to support implementation
20 of outstanding issues of the Comprehensive
21 Peace Agreement, mutual arrangements related
22 to post-referendum issues associated with such
23 Agreement, or any other viable peace agreement
24 in Sudan.

1 (3) CONSULTATION.—Funds appropriated by
2 this Act and prior Acts making appropriations for
3 the Department of State, foreign operations, and re-
4 lated programs that are made available for any new
5 program or activity in Sudan shall be subject to
6 prior consultation with the appropriate congressional
7 committees.

8 (j) ZIMBABWE.—

9 (1) INSTRUCTION.—The Secretary of the Treas-
10 ury shall instruct the United States executive direc-
11 tor of each international financial institution to vote
12 against any extension by the respective institution of
13 any loan or grant to the Government of Zimbabwe,
14 except to meet basic human needs or to promote de-
15 mocracy, unless the Secretary of State certifies and
16 reports to the Committees on Appropriations that
17 the rule of law has been restored, including respect
18 for ownership and title to property, and freedoms of
19 expression, association, and assembly.

20 (2) LIMITATION.—None of the funds appro-
21 priated by this Act shall be made available for as-
22 sistance for the central Government of Zimbabwe,
23 except for health and education, unless the Secretary
24 of State certifies and reports as required in para-
25 graph (1).

1 EAST ASIA AND THE PACIFIC

2 SEC. 7043. (a) BURMA.—

3 (1) BILATERAL ECONOMIC ASSISTANCE.—(A)

4 Of the funds appropriated under title III of this Act,
5 not less than \$131,450,000 shall be made available
6 for assistance for Burma: *Provided*, That such funds
7 may be made available notwithstanding any other
8 provision of law and following consultation with the
9 appropriate congressional committees: *Provided fur-*
10 *ther*, That such funds shall be made available for
11 programs to promote ethnic and religious tolerance
12 and to combat gender-based violence, including in
13 Kachin, Karen, Rakhine, and Shan states: *Provided*
14 *further*, That such funds may be made available for
15 ethnic groups and civil society in Burma to help sus-
16 tain ceasefire agreements and further prospects for
17 reconciliation and peace, which may include support
18 to representatives of ethnic armed groups for this
19 purpose.

20 (B) Funds appropriated under title III of this
21 Act for assistance for Burma shall be made available
22 for community-based organizations operating in
23 Thailand to provide food, medical, and other human-
24 itarian assistance to internally displaced persons in
25 eastern Burma, in addition to assistance for Bur-

1 mese refugees from funds appropriated by this Act
2 under the heading “Migration and Refugee Assist-
3 ance”: *Provided*, That such funds may be available
4 for programs to support the return of Kachin,
5 Karen, Rohingya, Shan, and other refugees and in-
6 ternally displaced persons to their locations of origin
7 or preference in Burma only if such returns are vol-
8 untary and consistent with international law.

9 (C) Funds appropriated under title III of this
10 Act for assistance for Burma that are made avail-
11 able for assistance for the Government of Burma to
12 support the implementation of Nationwide Ceasefire
13 Agreement conferences, committees, and other pro-
14 cedures may only be made available if the Secretary
15 of State reports to the Committees on Appropria-
16 tions that such conferences, committees, and proce-
17 dures are directed toward a sustainable peace and
18 the Government of Burma is implementing its com-
19 mitments under such Agreement.

20 (2) INTERNATIONAL SECURITY ASSISTANCE.—
21 None of the funds appropriated by this Act under
22 the headings “International Military Education and
23 Training” and “Foreign Military Financing Pro-
24 gram” may be made available for assistance for
25 Burma: *Provided*, That the Department of State

1 may continue consultations with the armed forces of
2 Burma only on human rights and disaster response
3 in a manner consistent with the prior fiscal year,
4 and following consultation with the appropriate con-
5 gressional committees.

6 (3) LIMITATIONS.—None of the funds appro-
7 priated under title III of this Act for assistance for
8 Burma may be made available to any organization
9 or entity controlled by the armed forces of Burma,
10 or to any individual or organization that advocates
11 violence against ethnic or religious groups or individ-
12 uals in Burma, as determined by the Secretary of
13 State for programs administered by the Department
14 of State and USAID or the President of the Na-
15 tional Endowment for Democracy (NED) for pro-
16 grams administered by NED.

17 (4) CONSULTATION.—Any new program or ac-
18 tivity in Burma initiated in fiscal year 2020 shall be
19 subject to prior consultation with the appropriate
20 congressional committees.

21 (b) CAMBODIA.—

22 (1) ASSISTANCE.—Of the funds appropriated
23 under title III of this Act, not less than \$82,505,000
24 shall be made available for assistance for Cambodia.

25 (2) CERTIFICATION AND EXCEPTIONS.—

1 (A) CERTIFICATION.—None of the funds
2 appropriated by this Act that are made avail-
3 able for assistance for the Government of Cam-
4 bodia may be obligated or expended unless the
5 Secretary of State certifies and reports to the
6 Committees on Appropriations that such Gov-
7 ernment is taking effective steps to—

8 (i) strengthen regional security and
9 stability, particularly regarding territorial
10 disputes in the South China Sea and the
11 enforcement of international sanctions with
12 respect to North Korea;

13 (ii) assert its sovereignty against in-
14 terference by the People’s Republic of
15 China, including by verifiably maintaining
16 the neutrality of Ream Naval Base, other
17 military installations in Cambodia, and
18 dual use facilities such as the Dara Sakor
19 development project; and

20 (iii) respect the rights, freedoms, and
21 responsibilities enshrined in the Constitu-
22 tion of the Kingdom of Cambodia as en-
23 acted in 1993.

24 (B) EXCEPTIONS.—The certification re-
25 quired by subparagraph (A) shall not apply to

1 funds appropriated by this Act and made avail-
2 able for democracy, health, education, and envi-
3 ronment programs, programs to strengthen the
4 sovereignty of Cambodia, and programs to edu-
5 cate and inform the people of Cambodia of the
6 influence efforts of the People’s Republic of
7 China in Cambodia.

8 (3) USES OF FUNDS.—Funds appropriated
9 under title III of this Act for assistance for Cam-
10 bodia shall be made available for—

11 (A) research and education programs asso-
12 ciated with the Khmer Rouge in Cambodia; and

13 (B) programs in the Khmer language to
14 monitor, map, and publicize the efforts by the
15 People’s Republic of China to expand its influ-
16 ence in Cambodia, including in Sihanoukville,
17 Bavet, Poipet, Koh Kong, and areas bordering
18 Vietnam.

19 (c) INDO-PACIFIC STRATEGY AND THE ASIA REAS-
20 SURANCE INITIATIVE ACT OF 2018.—

21 (1) ASSISTANCE.—Of the funds appropriated
22 under titles III and IV of this Act, not less than
23 \$1,482,000,000 shall be made available to support
24 the implementation of the Indo-Pacific Strategy and

1 the Asia Reassurance Initiative Act of 2018 (Public
2 Law 115–409).

3 (2) COUNTERING CHINESE INFLUENCE
4 FUND.—Of the funds appropriated by this Act under
5 the headings “Development Assistance”, “Economic
6 Support Fund”, “International Narcotics Control
7 and Law Enforcement”, “Nonproliferation, Anti-ter-
8 rorism, Demining and Related Programs”, and
9 “Foreign Military Financing Program”, not less
10 than \$300,000,000 shall be made available for a
11 Countering Chinese Influence Fund to counter the
12 influence of the People’s Republic of China globally,
13 which shall be subject to prior consultation with the
14 Committees on Appropriations: *Provided*, That such
15 funds are in addition to amounts otherwise made
16 available for such purposes: *Provided further*, That
17 such funds appropriated under such headings may
18 be transferred to, and merged with, funds appro-
19 priated under such headings: *Provided further*, That
20 such transfer authority is in addition to any other
21 transfer authority provided by this Act or any other
22 Act, and is subject to the regular notification proce-
23 dures of the Committees on Appropriations.

24 (3) RESTRICTION ON USES OF FUNDS.—None
25 of the funds appropriated by this Act and prior Acts

1 making appropriations for the Department of State,
2 foreign operations, and related programs may be
3 made available for any project or activity that di-
4 rectly supports or promotes—

5 (A) the Belt and Road Initiative or any
6 dual-use infrastructure projects of the People’s
7 Republic of China; and

8 (B) the use of technology, including bio-
9 technology, digital, telecommunications, and
10 cyber, developed by the People’s Republic of
11 China unless the Secretary of State, in con-
12 sultation with the USAID Administrator and
13 the Chief Executive Officer of the United States
14 International Development Finance Corpora-
15 tion, as appropriate, determines that such use
16 does not adversely impact the national security
17 of the United States.

18 (d) LAOS.—Of the funds appropriated under title III
19 of this Act, not less than \$34,280,000 shall be made avail-
20 able for assistance for Laos.

21 (e) NORTH KOREA.—

22 (1) CYBERSECURITY.—None of the funds ap-
23 propriated by this Act or prior Acts making appro-
24 priations for the Department of State, foreign oper-
25 ations, and related programs may be made available

1 for assistance for the central government of a coun-
2 try the Secretary of State determines and reports to
3 the appropriate congressional committees engages in
4 significant transactions contributing materially to
5 the malicious cyber-intrusion capabilities of the Gov-
6 ernment of North Korea: *Provided*, That the Sec-
7 retary of State shall submit the report required by
8 section 209 of the North Korea Sanctions and Policy
9 Enhancement Act of 2016 (Public Law 114–122; 22
10 U.S.C. 9229) to the Committees on Appropriations:
11 *Provided further*, That the Secretary of State may
12 waive the application of the restriction in this para-
13 graph with respect to assistance for the central gov-
14 ernment of a country if the Secretary determines
15 and reports to the appropriate congressional com-
16 mittees that to do so is important to the national se-
17 curity interest of the United States, including a de-
18 scription of such interest served.

19 (2) BROADCASTS.—Funds appropriated by this
20 Act under the heading “International Broadcasting
21 Operations” shall be made available to maintain
22 broadcasting hours into North Korea at levels not
23 less than the prior fiscal year.

24 (3) HUMAN RIGHTS PROMOTION AND LIMITA-
25 TION ON USE OF FUNDS.—(A) Funds appropriated

1 by this Act under the headings “Economic Support
2 Fund” and “Democracy Fund” shall be made avail-
3 able for the promotion of human rights in North
4 Korea: *Provided*, That the authority of section
5 7032(b)(1) of this Act shall apply to such funds.

6 (B) None of the funds made available by this
7 Act under the heading “Economic Support Fund”
8 may be made available for assistance for the Govern-
9 ment of North Korea.

10 (f) PEOPLE’S REPUBLIC OF CHINA.—

11 (1) LIMITATION ON USE OF FUNDS.—None of
12 the funds appropriated under the heading “Diplo-
13 matic Programs” in this Act may be obligated or ex-
14 pended for processing licenses for the export of sat-
15 ellites of United States origin (including commercial
16 satellites and satellite components) to the People’s
17 Republic of China (PRC) unless, at least 15 days in
18 advance, the Committees on Appropriations are noti-
19 fied of such proposed action.

20 (2) PEOPLE’S LIBERATION ARMY.—The terms
21 and requirements of section 620(h) of the Foreign
22 Assistance Act of 1961 shall apply to foreign assist-
23 ance projects or activities of the People’s Liberation
24 Army (PLA) of the PRC, to include such projects or
25 activities by any entity that is owned or controlled

1 by, or an affiliate of, the PLA: *Provided*, That none
2 of the funds appropriated or otherwise made avail-
3 able pursuant to this Act may be used to finance
4 any grant, contract, or cooperative agreement with
5 the PLA, or any entity that the Secretary of State
6 has reason to believe is owned or controlled by, or
7 an affiliate of, the PLA.

8 (3) UNITED STATES-CHINA FRIENDSHIP VOL-
9 UNTEER PROGRAM.—Not later than 90 days after
10 enactment of this Act and following consultation
11 with the heads of other relevant Federal agencies,
12 the Director of the Peace Corps shall submit a re-
13 port to the appropriate congressional committees on
14 the United States-China Friendship Volunteer Pro-
15 gram, including a description of program coordina-
16 tion, implementation, and oversight, and the goals
17 and objectives served: *Provided*, That the Director
18 shall also consult with the Committees on Appro-
19 priations on such report.

20 (4) HONG KONG.—

21 (A) DEMOCRACY PROGRAMS.—Of the
22 funds appropriated by this Act under the head-
23 ing “Democracy Fund” for the Human Rights
24 and Democracy Fund of the Bureau of Democ-
25 racy, Human Rights, and Labor, Department of

1 State, not less than \$1,500,000 shall be made
2 available for democracy programs for Hong
3 Kong, including legal and other support for de-
4 mocracy activists.

5 (B) REPORT.—Funds appropriated under
6 title I of this Act shall be made available to pre-
7 pare and submit to Congress the report re-
8 quired by section 301 of the United States-
9 Hong Kong Policy Act of 1992 (22 U.S.C.
10 5731), which shall also include a description
11 of—

12 (i) efforts by the Hong Kong authori-
13 ties and the Government of the People’s
14 Republic of China to prevent free assembly
15 and communications by the people of Hong
16 Kong;

17 (ii) the technical surveillance equip-
18 ment and methods used by the Hong Kong
19 authorities and the Government of the
20 People’s Republic of China to monitor the
21 movement and communications of the
22 Hong Kong population;

23 (iii) the application of social and polit-
24 ical control tools developed by the Govern-
25 ment of the People’s Republic of China

1 and used by such Government and the
2 Hong Kong authorities in Hong Kong;

3 (iv) the disinformation and political
4 influence campaigns conducted by the Gov-
5 ernment of the People's Republic of China
6 in Hong Kong and overseas with respect to
7 the situation in Hong Kong; and

8 (v) the mission and activities of the
9 People's Armed Police, the People's Lib-
10 eration Army, the Ministries of Public Se-
11 curity and State Security in Beijing, the
12 Government of the People's Republic of
13 China, and other Chinese security forces in
14 Hong Kong, including their respective roles
15 in human rights abuses against the people
16 of Hong Kong.

17 (g) PHILIPPINES.—None of the funds appropriated
18 by this Act under the heading “International Narcotics
19 Control and Law Enforcement” may be made available for
20 counternarcotics assistance for the Philippines, except for
21 drug demand reduction, maritime law enforcement, or
22 transnational interdiction.

23 (h) TIBET.—

24 (1) FINANCING OF PROJECTS IN TIBET.—The
25 Secretary of the Treasury should instruct the United

1 States executive director of each international finan-
2 cial institution to use the voice and vote of the
3 United States to support financing of projects in
4 Tibet if such projects do not provide incentives for
5 the migration and settlement of non-Tibetans into
6 Tibet or facilitate the transfer of ownership of Ti-
7 betan land and natural resources to non-Tibetans,
8 are based on a thorough needs-assessment, foster
9 self-sufficiency of the Tibetan people and respect Ti-
10 betan culture and traditions, and are subject to ef-
11 fective monitoring.

12 (2) PROGRAMS FOR TIBETAN COMMUNITIES.—

13 (A) Notwithstanding any other provision of law, of
14 the funds appropriated by this Act under the head-
15 ing “Economic Support Fund”, not less than
16 \$8,000,000 shall be made available to nongovern-
17 mental organizations to support activities which pre-
18 serve cultural traditions and promote sustainable de-
19 velopment, education, and environmental conserva-
20 tion in Tibetan communities in the Tibet Autono-
21 mous Region and in other Tibetan communities in
22 China.

23 (B) Of the funds appropriated by this Act
24 under the heading “Economic Support Fund”, not
25 less than \$6,000,000 shall be made available for

1 programs to promote and preserve Tibetan culture
2 and language in the refugee and diaspora Tibetan
3 communities, development, and the resilience of Ti-
4 betan communities and the Central Tibetan Admin-
5 istration in India and Nepal, and to assist in the
6 education and development of the next generation of
7 Tibetan leaders from such communities: *Provided*,
8 That such funds are in addition to amounts made
9 available in subparagraph (A) for programs inside
10 Tibet.

11 (C) Of the funds appropriated by this Act
12 under the heading “Economic Support Fund”, not
13 less than \$3,000,000 shall be made available for
14 programs to strengthen the capacity of the Central
15 Tibetan Administration: *Provided*, That such funds
16 shall be administered by the United States Agency
17 for International Development.

18 (i) VIETNAM.—Of the funds appropriated under titles
19 III and IV of this Act, not less than \$159,634,000 shall
20 be made available for assistance for Vietnam, of which not
21 less than—

22 (1) \$13,000,000 shall be made available for
23 health and disability programs in areas sprayed with
24 Agent Orange and contaminated with dioxin, to as-
25 sist individuals with severe upper or lower body mo-

1 bility impairment or cognitive or developmental dis-
2 abilities;

3 (2) \$20,000,000 shall be made available, not-
4 withstanding any other provision of law, for activi-
5 ties related to the remediation of dioxin contami-
6 nated sites in Vietnam and may be made available
7 for assistance for the Government of Vietnam, in-
8 cluding the military, for such purposes; and

9 (3) \$1,500,000 shall be made available for a
10 war legacy reconciliation program.

11 SOUTH AND CENTRAL ASIA

12 SEC. 7044. (a) AFGHANISTAN.—

13 (1) FUNDING AND LIMITATIONS.—Funds ap-
14 propriated by this Act under the headings “Eco-
15 nomic Support Fund” and “International Narcotics
16 Control and Law Enforcement” that are made avail-
17 able for assistance for Afghanistan—

18 (A) shall be made available to implement
19 the South Asia Strategy, the Revised Strategy
20 for United States Engagement in Afghanistan,
21 and the United States Agency for International
22 Development Country Development Cooperation
23 Strategy for Afghanistan;

24 (B) shall be made available to continue
25 support for institutions of higher education in

1 Kabul, Afghanistan that are accessible to both
2 women and men in a coeducational environ-
3 ment, including for the costs for operations and
4 security for such institutions;

5 (C) shall be made available for programs
6 that protect and strengthen the rights of Af-
7 ghan women and girls and promote the political
8 and economic empowerment of women including
9 their meaningful inclusion in political processes:
10 *Provided*, That such assistance to promote the
11 economic empowerment of women shall be made
12 available as grants to Afghan organizations, to
13 the maximum extent practicable; and

14 (D) may not be made available for any
15 program, project, or activity pursuant to section
16 7044(a)(1)(C) of the Department of State, For-
17 eign Operations, and Related Programs Appro-
18 priations Act, 2019 (division F of Public Law
19 116–6).

20 (2) AFGHAN WOMEN.—

21 (A) IN GENERAL.—The Secretary of State
22 shall promote the meaningful participation of
23 Afghan women in ongoing peace and reconcili-
24 ation processes in Afghanistan in a manner
25 consistent with the Women, Peace, and Security

1 Act of 2017 (Public Law 115–68), including
2 advocacy for the inclusion of Afghan women
3 leaders in ongoing and future dialogue and ne-
4 gotiations and efforts to ensure that any peace
5 agreement reached with the Taliban protects
6 the rights of women and girls and ensures their
7 freedom of movement, rights to education and
8 work, and access to healthcare and legal rep-
9 resentation.

10 (B) ASSISTANCE.—Funds appropriated by
11 this Act and prior Acts making appropriations
12 for the Department of State, foreign operations,
13 and related programs under the heading “Eco-
14 nomic Support Fund” shall be made available
15 for an endowment pursuant to paragraph
16 (3)(A)(iv) of this subsection for an institution
17 of higher education in Kabul, Afghanistan that
18 is accessible to both women and men in a co-
19 educational environment: *Provided*, That such
20 endowment shall be established in partnership
21 with a United States-based American higher
22 education institution that will serve on its board
23 of trustees: *Provided further*, That prior to the
24 obligation of funds for such an endowment, the
25 Administrator of the United States Agency for

1 International Development shall submit a re-
2 port to the Committees on Appropriations de-
3 scribing the governance structure, including a
4 proposed board of trustees, and financial safe-
5 guards, including regular audit and reporting
6 requirements, in any endowment agreement:
7 *Provided further*, That the USAID Adminis-
8 trator shall provide a report on the expenditure
9 of funds generated from such an endowment to
10 the Committees on Appropriations on an annual
11 basis.

12 (3) AUTHORITIES.—

13 (A) Funds appropriated by this Act under
14 titles III through VI that are made available for
15 assistance for Afghanistan may be made avail-
16 able—

17 (i) notwithstanding section 7012 of
18 this Act or any similar provision of law
19 and section 660 of the Foreign Assistance
20 Act of 1961;

21 (ii) for reconciliation programs and
22 disarmament, demobilization, and re-
23 integration activities for former combat-
24 ants who have renounced violence against
25 the Government of Afghanistan, including

1 in accordance with section
2 7046(a)(2)(B)(ii) of the Department of
3 State, Foreign Operations, and Related
4 Programs Appropriations Act, 2012 (divi-
5 sion I of Public Law 112–74);

6 (iii) for an endowment to empower
7 women and girls; and

8 (iv) for an endowment for higher edu-
9 cation.

10 (B) Section 7046(a)(2)(A) of the Depart-
11 ment of State, Foreign Operations, and Related
12 Programs Appropriations Act, 2012 (division I
13 of Public Law 112–74) shall apply to funds ap-
14 propriated by this Act for assistance for Af-
15 ghanistan.

16 (C) Of the funds appropriated by this Act
17 under the heading “Diplomatic Programs”, up
18 to \$3,000,000 may be transferred to any other
19 appropriation of any department or agency of
20 the United States Government, upon the con-
21 currence of the head of such department or
22 agency, to support operations in, and assistance
23 for, Afghanistan and to carry out the provisions
24 of the Foreign Assistance Act of 1961: *Pro-*
25 *vided*, That any such transfer shall be subject

1 to the regular notification procedures of the
2 Committees on Appropriations.

3 (4) AGREEMENT AND CERTIFICATION.—Funds
4 appropriated by this Act shall be made available for
5 the following purposes—

6 (A) the submission to the appropriate con-
7 gressional committees by the President of a
8 copy of any agreement or arrangement between
9 the Government of the United States and the
10 Taliban relating to the United States presence
11 in Afghanistan or Taliban commitments on the
12 future of Afghanistan, which shall be submitted
13 not later than 30 days after finalizing such an
14 agreement or arrangement; and

15 (B) the submission to the appropriate con-
16 gressional committees of a joint certification by
17 the Secretary of State and Secretary of Defense
18 that such agreement or arrangement will fur-
19 ther the objective of setting conditions for the
20 long-term defeat of al Qaeda and Islamic State
21 and will not make the United States more vul-
22 nerable to terrorist attacks originating from Af-
23 ghanistan or supported by terrorist elements in
24 Afghanistan.

1 (5) BASING RIGHTS AGREEMENT.—None of the
2 funds made available by this Act may be used by the
3 United States Government to enter into a perma-
4 nent basing rights agreement between the United
5 States and Afghanistan.

6 (b) BANGLADESH.—Of the funds appropriated under
7 titles III and IV of this Act, not less than \$198,323,000
8 shall be made available for assistance for Bangladesh, of
9 which—

10 (1) not less than \$23,500,000 shall be made
11 available to address the needs of communities im-
12 pacted by refugees from Burma;

13 (2) not less than \$10,000,000 shall be made
14 available for programs to protect freedom of expres-
15 sion and due process of law; and

16 (3) not less than \$23,300,000 shall be made
17 available for democracy programs, of which not less
18 than \$2,000,000 shall be made available for such
19 programs for the Rohingya community in Ban-
20 gladesh.

21 (c) NEPAL.—

22 (1) ASSISTANCE.—Of the funds appropriated
23 under titles III and IV of this Act, not less than
24 \$130,265,000 shall be made available for assistance

1 for Nepal, including for earthquake recovery and re-
2 construction programs and democracy programs.

3 (2) FOREIGN MILITARY FINANCING PRO-
4 GRAM.—Funds appropriated by this Act under the
5 heading “Foreign Military Financing Program”
6 shall only be made available for humanitarian and
7 disaster relief and reconstruction activities in Nepal,
8 and in support of international peacekeeping oper-
9 ations: *Provided*, That such funds may only be made
10 available for any additional uses if the Secretary of
11 State certifies and reports to the Committees on Ap-
12 propriations that the Government of Nepal is inves-
13 tigating and prosecuting violations of human rights
14 and the laws of war, and the Nepal Army is cooper-
15 ating fully with civilian judicial authorities in such
16 cases.

17 (d) PAKISTAN.—

18 (1) TERMS AND CONDITIONS.—The terms and
19 conditions of section 7044(c) of the Department of
20 State, Foreign Operations, and Related Programs
21 Appropriations Act, 2019 (division F of Public Law
22 116–6) shall continue in effect during fiscal year
23 2020.

24 (2) ASSISTANCE.—Of the funds appropriated
25 under title III of this Act that are made available

1 for assistance for Pakistan, not less than
2 \$15,000,000 shall be made available for democracy
3 programs and not less than \$10,000,000 shall be
4 made available for gender programs.

5 (e) SRI LANKA.—

6 (1) ASSISTANCE.—Funds appropriated under
7 title III of this Act shall be made available for as-
8 sistance for Sri Lanka for democracy and economic
9 development programs, particularly in areas recov-
10 ering from ethnic and religious conflict: *Provided*,
11 That such funds shall be made available for pro-
12 grams to assist in the identification and resolution
13 of cases of missing persons.

14 (2) CERTIFICATION.—Funds appropriated by
15 this Act for assistance for the central Government of
16 Sri Lanka, except for funds made available for hu-
17 manitarian assistance, victims of trauma, and tech-
18 nical assistance to promote fiscal transparency and
19 sovereignty, may be made available only if the Sec-
20 retary of State certifies and reports to the Commit-
21 tees on Appropriations that such Government is tak-
22 ing effective and consistent steps to—

23 (A) respect and uphold the rights and free-
24 doms of the people of Sri Lanka regardless of
25 ethnicity and religious belief, including by inves-

1 tigating violations of human rights and holding
2 perpetrators of such violations accountable;

3 (B) assert its sovereignty against inter-
4 ference by the People’s Republic of China; and

5 (C) promote reconciliation between ethnic
6 and religious groups arising from past conflict
7 in Sri Lanka, including by addressing land con-
8 fiscation and ownership issues, resolving cases
9 of missing persons, and reducing the presence
10 of the armed forces in former conflict zones.

11 (3) INTERNATIONAL SECURITY ASSISTANCE.—

12 Of the funds appropriated by this Act under the
13 heading “Foreign Military Financing Program”, not
14 to exceed \$500,000 may be made available for as-
15 sistance for Sri Lanka: *Provided*, That such funds
16 may be made available only for programs to support
17 humanitarian and disaster response preparedness
18 and maritime security, including professionalization
19 and training for the navy and coast guard: *Provided*
20 *further*, That funds made available under the head-
21 ing “Peacekeeping Operations” may only be made
22 available subject to the regular notification proce-
23 dures of the Committees on Appropriations.

24 (f) REGIONAL PROGRAMS.—Funds appropriated by
25 this Act shall be made available for assistance for Afghani-

1 stan, Pakistan, and other countries in South and Central
2 Asia to significantly increase the recruitment, training,
3 and retention of women in the judiciary, police, and other
4 security forces, and to train judicial and security personnel
5 in such countries to prevent and address gender-based vio-
6 lence, human trafficking, and other practices that dis-
7 proportionately harm women and girls.

8 LATIN AMERICA AND THE CARIBBEAN

9 SEC. 7045. (a) CENTRAL AMERICA.—

10 (1) ASSISTANCE.—

11 (A) FISCAL YEAR 2020.—Of the funds ap-
12 propriated by this Act under titles III and IV,
13 not less than \$519,885,000 should be made
14 available for assistance for Belize, Costa Rica,
15 El Salvador, Guatemala, Honduras, Nicaragua,
16 and Panama, including through the Central
17 America Regional Security Initiative: *Provided*,
18 That such assistance shall be prioritized for
19 programs and activities that addresses the key
20 factors that contribute to the migration of un-
21 accompanied, undocumented minors to the
22 United States and such funds shall be made
23 available for global health, humanitarian, devel-
24 opment, democracy, border security, and law
25 enforcement programs for such countries, in-

1 cluding for programs to reduce violence against
2 women and girls and to combat corruption, and
3 for support of commissions against corruption
4 and impunity, as appropriate: *Provided further*,
5 That not less than \$45,000,000 shall be for
6 support of offices of Attorneys General and of
7 other entities and activities to combat corrup-
8 tion and impunity in such countries.

9 (B) FISCAL YEAR 2019.—Of the funds ap-
10 propriated under titles III and IV of the De-
11 partment of State, Foreign Operations, and Re-
12 lated Programs Appropriations Act, 2019 (divi-
13 sion F of Public Law 116–6), not less than
14 \$527,600,000 should be made available for as-
15 sistance for Belize, Costa Rica, El Salvador,
16 Guatemala, Honduras, Nicaragua, and Pan-
17 ama, including through the Central America
18 Regional Security Initiative: *Provided*, That
19 such funds shall be made available subject to
20 the conditions in paragraph (2) of this sub-
21 section and notwithstanding paragraphs (1) and
22 (2) of section 7045(a) of the Department of
23 State, Foreign Operations, and Related Pro-
24 grams Appropriations Act, 2019 (division F of
25 Public Law 116–6).

1 (2) NORTHERN TRIANGLE.—

2 (A) LIMITATION ON ASSISTANCE TO CER-
3 TAIN CENTRAL GOVERNMENTS.—Of the funds
4 made available pursuant to paragraph (1)
5 under the heading “Economic Support Fund”
6 and under title IV of this Act that are made
7 available for assistance for each of the central
8 governments of El Salvador, Guatemala, and
9 Honduras, 50 percent may only be obligated
10 after the Secretary of State certifies and re-
11 ports to the appropriate congressional commit-
12 tees that such government is—

13 (i) combating corruption and impu-
14 nity, including prosecuting corrupt govern-
15 ment officials;

16 (ii) implementing reforms, policies,
17 and programs to increase transparency and
18 strengthen public institutions;

19 (iii) protecting the rights of civil soci-
20 ety, opposition political parties, and the
21 independence of the media;

22 (iv) providing effective and account-
23 able law enforcement and security for its
24 citizens, and upholding due process of law;

1 (v) implementing policies to reduce
2 poverty and promote equitable economic
3 growth and opportunity;

4 (vi) supporting the independence of
5 the judiciary and of electoral institutions;

6 (vii) improving border security;

7 (viii) combating human smuggling
8 and trafficking and countering the activi-
9 ties of criminal gangs, drug traffickers,
10 and transnational criminal organizations;
11 and

12 (ix) informing its citizens of the dan-
13 gers of the journey to the southwest border
14 of the United States.

15 (B) REPROGRAMMING.—If the Secretary is
16 unable to make the certification required by
17 subparagraph (A) for one or more of the gov-
18 ernments, such assistance for such central gov-
19 ernment shall be reprogrammed for assistance
20 for other countries in Latin America and the
21 Caribbean, notwithstanding the minimum fund-
22 ing requirements of this subsection and of sec-
23 tion 7019 of this Act: *Provided*, That any such
24 reprogramming shall be subject to the regular

1 notification procedures of the Committees on
2 Appropriations.

3 (C) EXCEPTIONS.—The limitation of sub-
4 paragraph (A) shall not apply to funds appro-
5 priated by this Act that are made available
6 for—

7 (i) the Mission to Support the Fight
8 Against Corruption and Impunity in Hon-
9 duras, the International Commission
10 Against Impunity in El Salvador, and sup-
11 port of offices of Attorneys General and of
12 other entities and activities related to com-
13 bating corruption and impunity;

14 (ii) programs to combat gender-based
15 violence;

16 (iii) humanitarian assistance; and

17 (iv) food security programs.

18 (b) COLOMBIA.—

19 (1) ASSISTANCE.—Of the funds appropriated by
20 this Act under titles III and IV, not less than
21 \$448,253,000 shall be made available for assistance
22 for Colombia: *Provided*, That such funds shall be
23 made available for the programs and activities de-
24 scribed under this section in the explanatory state-

1 ment described in section 4 (in the matter preceding
2 division A of this consolidated Act).

3 (2) WITHHOLDING OF FUNDS.—

4 (A) COUNTERNARCOTICS.—Of the funds
5 appropriated by this Act under the heading
6 “International Narcotics Control and Law En-
7 forcement” and made available for assistance
8 for Colombia, 20 percent may be obligated only
9 after the Secretary of State certifies and re-
10 ports to the Committees on Appropriations that
11 the Government of Colombia is continuing to
12 implement a national whole-of-government
13 counternarcotics strategy intended to reduce by
14 50 percent cocaine production and coca cultiva-
15 tion levels in Colombia by 2023.

16 (B) HUMAN RIGHTS.—Of the funds appro-
17 priated by this Act under the heading “Foreign
18 Military Financing Program” and made avail-
19 able for assistance for Colombia, 20 percent
20 may be obligated only after the Secretary of
21 State certifies and reports to the Committees
22 on Appropriations that—

23 (i) the Special Jurisdiction for Peace
24 and other judicial authorities are taking ef-
25 fective steps to hold accountable perpetra-

1 tors of gross violations of human rights in
2 a manner consistent with international law,
3 including for command responsibility, and
4 sentence them to deprivation of liberty;

5 (ii) the Government of Colombia is
6 taking effective steps to prevent attacks
7 against human rights defenders and other
8 civil society activists, trade unionists, and
9 journalists, and judicial authorities are
10 prosecuting those responsible for such at-
11 tacks; and

12 (iii) senior military officers respon-
13 sible for ordering, committing, and cov-
14 ering up cases of false positives are being
15 held accountable, including removal from
16 active duty if found guilty through crimi-
17 nal or disciplinary proceedings.

18 (3) EXCEPTIONS.—The limitations of para-
19 graph (2) shall not apply to funds made available for
20 aviation instruction and maintenance, and maritime
21 and riverine security programs.

22 (4) AUTHORITY.—Aircraft supported by funds
23 appropriated by this Act and prior Acts making ap-
24 propriations for the Department of State, foreign
25 operations, and related programs and made available

1 for assistance for Colombia may be used to trans-
2 port personnel and supplies involved in drug eradi-
3 cation and interdiction, including security for such
4 activities, and to provide transport in support of al-
5 ternative development programs and investigations
6 by civilian judicial authorities.

7 (5) LIMITATION.—None of the funds appro-
8 priated by this Act or prior Acts making appropria-
9 tions for the Department of State, foreign oper-
10 ations, and related programs that are made available
11 for assistance for Colombia may be made available
12 for payment of reparations to conflict victims or
13 compensation to demobilized combatants associated
14 with a peace agreement between the Government of
15 Colombia and illegal armed groups.

16 (c) HAITI.—

17 (1) CERTIFICATION.—Funds appropriated by
18 this Act under the heading “Economic Support
19 Fund” that are made available for assistance for
20 Haiti may not be made available for assistance for
21 the central Government of Haiti unless the Sec-
22 retary of State certifies and reports to the Commit-
23 tees on Appropriations that such government is tak-
24 ing effective steps, which are steps taken since the

1 certification and report submitted during the prior
2 year, if applicable, to—

3 (A) strengthen the rule of law in Haiti, in-
4 cluding by—

5 (i) selecting judges in a transparent
6 manner based on merit;

7 (ii) reducing pre-trial detention;

8 (iii) respecting the independence of
9 the judiciary; and

10 (iv) improving governance by imple-
11 menting reforms to increase transparency
12 and accountability, including through the
13 penal and criminal codes;

14 (B) combat corruption, including by imple-
15 menting the anti-corruption law enacted in
16 2014 and prosecuting corrupt officials;

17 (C) increase government revenues, includ-
18 ing by implementing tax reforms, and increas-
19 ing expenditures on public services; and

20 (D) resolve commercial disputes between
21 United States entities and the Government of
22 Haiti.

23 (2) HAITIAN COAST GUARD.—The Government
24 of Haiti shall be eligible to purchase defense articles

1 and services under the Arms Export Control Act (22
2 U.S.C. 2751 et seq.) for the Coast Guard.

3 (3) LIMITATION.—None of the funds made
4 available by this Act may be used to provide assist-
5 ance to the armed forces of Haiti.

6 (d) THE CARIBBEAN.—Of the funds appropriated by
7 this Act under titles III and IV, not less than \$60,000,000
8 shall be made available for the Caribbean Basin Security
9 Initiative.

10 (e) VENEZUELA.—

11 (1) Of the funds appropriated by this Act under
12 the heading “Economic Support Fund”, not less
13 than \$30,000,000 shall be made available for democ-
14 racy programs for Venezuela.

15 (2) Funds appropriated under title III of this
16 Act and prior Acts making appropriations for the
17 Department of State, foreign operations, and related
18 programs shall be made available for assistance for
19 communities in countries supporting or otherwise
20 impacted by refugees from Venezuela, including Co-
21 lombia, Peru, Ecuador, Curacao, and Trinidad and
22 Tobago: *Provided*, That such amounts are in addi-
23 tion to funds otherwise made available for assistance
24 for such countries, subject to prior consultation

1 with, and the regular notification procedures of, the
2 Committees on Appropriations.

3 EUROPE AND EURASIA

4 SEC. 7046. (a) ASSISTANCE.—

5 (1) GEORGIA.—Of the funds appropriated by
6 this Act under titles III and IV, not less than
7 \$132,025,000 shall be made available for assistance
8 for Georgia.

9 (2) UKRAINE.—Of the funds appropriated by
10 this Act under titles III and IV, not less than
11 \$448,000,000 shall be made available for assistance
12 for Ukraine.

13 (b) LIMITATION.—None of the funds appropriated by
14 this Act may be made available for assistance for a govern-
15 ment of an Independent State of the former Soviet Union
16 if such government directs any action in violation of the
17 territorial integrity or national sovereignty of any other
18 Independent State of the former Soviet Union, such as
19 those violations included in the Helsinki Final Act: *Pro-*
20 *vided*, That except as otherwise provided in section
21 7047(a) of this Act, funds may be made available without
22 regard to the restriction in this subsection if the President
23 determines that to do so is in the national security interest
24 of the United States: *Provided further*, That prior to exe-
25 cuting the authority contained in the previous proviso, the

1 Secretary of State shall consult with the Committees on
2 Appropriations on how such assistance supports the na-
3 tional security interest of the United States.

4 (c) SECTION 907 OF THE FREEDOM SUPPORT
5 ACT.—Section 907 of the FREEDOM Support Act (22
6 U.S.C. 5812 note) shall not apply to—

7 (1) activities to support democracy or assist-
8 ance under title V of the FREEDOM Support Act
9 (22 U.S.C. 5851 et seq.) and section 1424 of the
10 Defense Against Weapons of Mass Destruction Act
11 of 1996 (50 U.S.C. 2333) or non-proliferation as-
12 sistance;

13 (2) any assistance provided by the Trade and
14 Development Agency under section 661 of the For-
15 eign Assistance Act of 1961;

16 (3) any activity carried out by a member of the
17 United States and Foreign Commercial Service while
18 acting within his or her official capacity;

19 (4) any insurance, reinsurance, guarantee, or
20 other assistance provided by the United States
21 International Development Finance Corporation as
22 authorized by the BUILD Act of 2018 (division F
23 of Public Law 115–254);

24 (5) any financing provided under the Export-
25 Import Bank Act of 1945 (Public Law 79–173); or

1 (6) humanitarian assistance.

2 (d) TURKEY.—None of the funds made available by
3 this Act may be used to facilitate or support the sale of
4 defense articles or defense services to the Turkish Presi-
5 dential Protection Directorate (TPPD) under Chapter 2
6 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)
7 unless the Secretary of State determines and reports to
8 the appropriate congressional committees that members of
9 the TPPD that are named in the July 17, 2017, indict-
10 ment by the Superior Court of the District of Columbia,
11 and against whom there are pending charges, have re-
12 turned to the United States to stand trial in connection
13 with the offenses contained in such indictment or have
14 otherwise been brought to justice: *Provided*, That the limi-
15 tation in this paragraph shall not apply to the use of funds
16 made available by this Act for border security purposes,
17 for North Atlantic Treaty Organization or coalition oper-
18 ations, or to enhance the protection of United States offi-
19 cials and facilities in Turkey.

20 COUNTERING RUSSIAN INFLUENCE AND AGGRESSION

21 SEC. 7047. (a) LIMITATION.—None of the funds ap-
22 propriated by this Act may be made available for assist-
23 ance for the central Government of the Russian Federa-
24 tion.

25 (b) ANNEXATION OF CRIMEA.—

1 (1) PROHIBITION.—None of the funds appro-
2 priated by this Act may be made available for assist-
3 ance for the central government of a country that
4 the Secretary of State determines and reports to the
5 Committees on Appropriations has taken affirmative
6 steps intended to support or be supportive of the
7 Russian Federation annexation of Crimea or other
8 territory in Ukraine: *Provided*, That except as other-
9 wise provided in subsection (a), the Secretary may
10 waive the restriction on assistance required by this
11 paragraph if the Secretary determines and reports to
12 such Committees that to do so is in the national in-
13 terest of the United States, and includes a justifica-
14 tion for such interest.

15 (2) LIMITATION.—None of the funds appro-
16 priated by this Act may be made available for—

17 (A) the implementation of any action or
18 policy that recognizes the sovereignty of the
19 Russian Federation over Crimea or other terri-
20 tory in Ukraine;

21 (B) the facilitation, financing, or guarantee
22 of United States Government investments in
23 Crimea or other territory in Ukraine under the
24 control of Russian-backed separatists, if such
25 activity includes the participation of Russian

1 Government officials, or other Russian owned
2 or controlled financial entities; or

3 (C) assistance for Crimea or other terri-
4 tory in Ukraine under the control of Russian-
5 backed separatists, if such assistance includes
6 the participation of Russian Government offi-
7 cials, or other Russian owned or controlled fi-
8 nancial entities.

9 (3) INTERNATIONAL FINANCIAL INSTITU-
10 TIONS.—The Secretary of the Treasury shall in-
11 struct the United States executive directors of each
12 international financial institution to use the voice
13 and vote of the United States to oppose any assist-
14 ance by such institution (including any loan, credit,
15 or guarantee) for any program that violates the sov-
16 ereignty or territorial integrity of Ukraine.

17 (4) DURATION.—The requirements and limita-
18 tions of this subsection shall cease to be in effect if
19 the Secretary of State determines and reports to the
20 Committees on Appropriations that the Government
21 of Ukraine has reestablished sovereignty over Cri-
22 mea and other territory in Ukraine under the con-
23 trol of Russian-backed separatists.

24 (c) OCCUPATION OF THE GEORGIAN TERRITORIES OF
25 ABKHAZIA AND TSKHINVALI REGION/SOUTH OSSETIA.—

1 (1) PROHIBITION.—None of the funds appro-
2 priated by this Act may be made available for assist-
3 ance for the central government of a country that
4 the Secretary of State determines and reports to the
5 Committees on Appropriations has recognized the
6 independence of, or has established diplomatic rela-
7 tions with, the Russian Federation occupied Geor-
8 gian territories of Abkhazia and Tskhinvali Region/
9 South Ossetia: *Provided*, That the Secretary shall
10 publish on the Department of State website a list of
11 any such central governments in a timely manner:
12 *Provided further*, That the Secretary may waive the
13 restriction on assistance required by this paragraph
14 if the Secretary determines and reports to the Com-
15 mittees on Appropriations that to do so is in the na-
16 tional interest of the United States, and includes a
17 justification for such interest.

18 (2) LIMITATION.—None of the funds appro-
19 priated by this Act may be made available to sup-
20 port the Russian Federation occupation of the Geor-
21 gian territories of Abkhazia and Tskhinvali Region/
22 South Ossetia.

23 (3) INTERNATIONAL FINANCIAL INSTITU-
24 TIONS.—The Secretary of the Treasury shall in-
25 struct the United States executive directors of each

1 international financial institution to use the voice
2 and vote of the United States to oppose any assist-
3 ance by such institution (including any loan, credit,
4 or guarantee) for any program that violates the sov-
5 ereignty and territorial integrity of Georgia.

6 (d) COUNTERING RUSSIAN INFLUENCE FUND.—

7 (1) ASSISTANCE.—Of the funds appropriated by
8 this Act under the headings “Assistance for Europe,
9 Eurasia and Central Asia”, “International Narcotics
10 Control and Law Enforcement”, “International Mili-
11 tary Education and Training”, and “Foreign Mili-
12 tary Financing Program”, not less than
13 \$290,000,000 shall be made available to carry out
14 the purposes of the Countering Russian Influence
15 Fund, as authorized by section 254 of the Coun-
16 tering Russian Influence in Europe and Eurasia Act
17 of 2017 (Public Law 115–44; 22 U.S.C. 9543) and
18 notwithstanding the country limitation in subsection
19 (b) of such section, and programs to enhance the ca-
20 pacity of law enforcement and security forces in
21 countries in Europe, Eurasia, and Central Asia and
22 strengthen security cooperation between such coun-
23 tries and the United States and the North Atlantic
24 Treaty Organization, as appropriate.

1 national Organizations and Programs” in title V of
2 this Act that are available for contributions to the
3 United Nations (including the Department of Peace-
4 keeping Operations), any United Nations agency, or
5 the Organization of American States, 15 percent
6 may not be obligated for such organization, depart-
7 ment, or agency until the Secretary of State deter-
8 mines and reports to the Committees on Appropria-
9 tions that the organization, department, or agency
10 is—

11 (A) posting on a publicly available website,
12 consistent with privacy regulations and due
13 process, regular financial and programmatic au-
14 dits of such organization, department, or agen-
15 cy, and providing the United States Govern-
16 ment with necessary access to such financial
17 and performance audits;

18 (B) effectively implementing and enforcing
19 policies and procedures which meet or exceed
20 best practices in the United States for the pro-
21 tection of whistleblowers from retaliation, in-
22 cluding—

23 (i) protection against retaliation for
24 internal and lawful public disclosures;

25 (ii) legal burdens of proof;

1 (iii) statutes of limitation for report-
2 ing retaliation;

3 (iv) access to binding independent ad-
4 judicative bodies, including shared cost and
5 selection external arbitration; and

6 (v) results that eliminate the effects of
7 proven retaliation, including provision for
8 the restoration of prior employment; and

9 (C) effectively implementing and enforcing
10 policies and procedures on the appropriate use
11 of travel funds, including restrictions on first
12 class and business class travel.

13 (2) WAIVER.—The restrictions imposed by or
14 pursuant to paragraph (1) may be waived on a case-
15 by-case basis if the Secretary of State determines
16 and reports to the Committees on Appropriations
17 that such waiver is necessary to avert or respond to
18 a humanitarian crisis.

19 (b) RESTRICTIONS ON UNITED NATIONS DELEGA-
20 TIONS AND ORGANIZATIONS.—

21 (1) RESTRICTIONS ON UNITED STATES DELEGA-
22 TIONS.—None of the funds made available by this
23 Act may be used to pay expenses for any United
24 States delegation to any specialized agency, body, or
25 commission of the United Nations if such agency,

1 body, or commission is chaired or presided over by
2 a country, the government of which the Secretary of
3 State has determined, for purposes of section
4 1754(e) of the Export Reform Control Act of 2018
5 (50 U.S.C. 4813(e)), supports international ter-
6 rorism.

7 (2) RESTRICTIONS ON CONTRIBUTIONS.—None
8 of the funds made available by this Act may be used
9 by the Secretary of State as a contribution to any
10 organization, agency, commission, or program within
11 the United Nations system if such organization,
12 agency, commission, or program is chaired or pre-
13 sided over by a country the government of which the
14 Secretary of State has determined, for purposes of
15 section 620A of the Foreign Assistance Act of 1961,
16 section 40 of the Arms Export Control Act, section
17 1754(e) of the Export Reform Control Act of 2018
18 (50 U.S.C. 4813(e)), or any other provision of law,
19 is a government that has repeatedly provided sup-
20 port for acts of international terrorism.

21 (3) WAIVER.—The Secretary of State may
22 waive the restriction in this subsection if the Sec-
23 retary determines and reports to the Committees on
24 Appropriations that to do so is important to the na-

1 tional interest of the United States, including a de-
2 scription of the national interest served.

3 (c) UNITED NATIONS HUMAN RIGHTS COUNCIL.—

4 None of the funds appropriated by this Act may be made
5 available in support of the United Nations Human Rights
6 Council unless the Secretary of State determines and re-
7 ports to the Committees on Appropriations that participa-
8 tion in the Council is important to the national interest
9 of the United States and that such Council is taking sig-
10 nificant steps to remove Israel as a permanent agenda
11 item and ensure integrity in the election of members to
12 such Council: *Provided*, That such report shall include a
13 description of the national interest served and the steps
14 taken to remove Israel as a permanent agenda item and
15 ensure integrity in the election of members to such Coun-
16 cil: *Provided further*, That the Secretary of State shall re-
17 port to the Committees on Appropriations not later than
18 September 30, 2020, on the resolutions considered in the
19 United Nations Human Rights Council during the pre-
20 vious 12 months, and on steps taken to remove Israel as
21 a permanent agenda item and ensure integrity in the elec-
22 tion of members to such Council.

23 (d) UNITED NATIONS RELIEF AND WORKS AGEN-
24 CY.—Prior to the initial obligation of funds for the United
25 Nations Relief and Works Agency (UNRWA), the Sec-

1 retary of State shall report to the Committees on Appro-
2 priations, in writing, on whether UNRWA is—

3 (1) utilizing Operations Support Officers in the
4 West Bank, Gaza, and other fields of operation to
5 inspect UNRWA installations and reporting any in-
6 appropriate use;

7 (2) acting promptly to address any staff or ben-
8 eficiary violation of its own policies (including the
9 policies on neutrality and impartiality of employees)
10 and the legal requirements under section 301(e) of
11 the Foreign Assistance Act of 1961;

12 (3) implementing procedures to maintain the
13 neutrality of its facilities, including implementing a
14 no-weapons policy, and conducting regular inspec-
15 tions of its installations, to ensure they are only
16 used for humanitarian or other appropriate pur-
17 poses;

18 (4) taking necessary and appropriate measures
19 to ensure it is operating in compliance with the con-
20 ditions of section 301(e) of the Foreign Assistance
21 Act of 1961 and continuing regular reporting to the
22 Department of State on actions it has taken to en-
23 sure conformance with such conditions;

24 (5) taking steps to ensure the content of all
25 educational materials currently taught in UNRWA-

1 administered schools and summer camps is con-
2 sistent with the values of human rights, dignity, and
3 tolerance and does not induce incitement;

4 (6) not engaging in operations with financial in-
5 stitutions or related entities in violation of relevant
6 United States law, and is taking steps to improve
7 the financial transparency of the organization; and

8 (7) in compliance with the United Nations
9 Board of Auditors' biennial audit requirements and
10 is implementing in a timely fashion the Board's rec-
11 ommendations.

12 (e) PROHIBITION OF PAYMENTS TO UNITED NA-
13 TIONS MEMBERS.—None of the funds appropriated or
14 made available pursuant to titles III through VI of this
15 Act for carrying out the Foreign Assistance Act of 1961,
16 may be used to pay in whole or in part any assessments,
17 arrearages, or dues of any member of the United Nations
18 or, from funds appropriated by this Act to carry out chap-
19 ter 1 of part I of the Foreign Assistance Act of 1961,
20 the costs for participation of another country's delegation
21 at international conferences held under the auspices of
22 multilateral or international organizations.

23 (f) REPORT.—Not later than 45 days after enactment
24 of this Act, the Secretary of State shall submit a report
25 to the Committees on Appropriations detailing the amount

1 of funds available for obligation or expenditure in fiscal
2 year 2020 for contributions to any organization, depart-
3 ment, agency, or program within the United Nations sys-
4 tem or any international program that are withheld from
5 obligation or expenditure due to any provision of law: *Pro-*
6 *vided*, That the Secretary shall update such report each
7 time additional funds are withheld by operation of any
8 provision of law: *Provided further*, That the reprogram-
9 ming of any withheld funds identified in such report, in-
10 cluding updates thereof, shall be subject to prior consulta-
11 tion with, and the regular notification procedures of, the
12 Committees on Appropriations.

13 (g) SEXUAL EXPLOITATION AND ABUSE IN PEACE-
14 KEEPING OPERATIONS.—The Secretary of State should
15 withhold assistance to any unit of the security forces of
16 a foreign country if the Secretary has credible information
17 that such unit has engaged in sexual exploitation or abuse,
18 including while serving in a United Nations peacekeeping
19 operation, until the Secretary determines that the govern-
20 ment of such country is taking effective steps to hold the
21 responsible members of such unit accountable and to pre-
22 vent future incidents: *Provided*, That the Secretary shall
23 promptly notify the government of each country subject
24 to any withholding of assistance pursuant to this para-
25 graph, and shall notify the appropriate congressional com-

1 mittees of such withholding not later than 10 days after
2 a determination to withhold such assistance is made: *Pro-*
3 *vided further*, That the Secretary shall, to the maximum
4 extent practicable, assist such government in bringing the
5 responsible members of such unit to justice.

6 (h) ADDITIONAL AVAILABILITY.—Subject to the reg-
7 ular notification procedures of the Committees on Appro-
8 priations, funds appropriated by this Act which are re-
9 turned or not made available due to the implementation
10 of subsection (a), the third proviso under the heading
11 “Contributions for International Peacekeeping Activities”
12 in title I of this Act, or section 307(a) of the Foreign As-
13 sistance Act of 1961 (22 U.S.C. 2227(a)), shall remain
14 available for obligation until September 30, 2021: *Pro-*
15 *vided*, That the requirement to withhold funds for pro-
16 grams in Burma under section 307(a) of the Foreign As-
17 sistance Act of 1961 shall not apply to funds appropriated
18 by this Act.

19 (i) NATIONAL SECURITY INTEREST WITH-
20 HOLDING.—

21 (1) WITHHOLDING.—The Secretary of State
22 shall withhold 5 percent of the funds appropriated
23 by this Act under the heading “Contributions to
24 International Organizations” for a specialized agen-
25 cy or other entity of the United Nations if the Sec-

1 retary, in consultation with the United States Am-
2 bassador to the United Nations, determines and re-
3 ports to the Committees on Appropriations that such
4 agency or entity has taken an official action that is
5 against the national security interest of the United
6 States or an ally of the United States, including
7 Israel.

8 (2) RELEASE OF FUNDS.—The Secretary of
9 State, in consultation with the United States Am-
10 bassador to the United Nations, may release funds
11 withheld pursuant to paragraph (1) if the Secretary
12 determines and reports to the Committees on Appro-
13 priations that such agency or entity is taking steps
14 to address the action that resulted in the with-
15 holding of such funds.

16 (3) REPROGRAMMING.—Should the Secretary of
17 State be unable to make a determination pursuant
18 to paragraph (2) regarding the release of withheld
19 funds, such funds may be reprogrammed for other
20 purposes under the heading “Contributions to Inter-
21 national Organizations”.

22 (4) WAIVER.—The Secretary of State, following
23 consultation with the Committees on Appropriations,
24 may waive the requirements of this subsection if the

1 Secretary determines that to do so in the national
2 interest.

3 WAR CRIMES TRIBUNALS

4 SEC. 7049. (a) If the President determines that doing
5 so will contribute to a just resolution of charges regarding
6 genocide or other violations of international humanitarian
7 law, the President may direct a drawdown pursuant to sec-
8 tion 552(c) of the Foreign Assistance Act of 1961 of up
9 to \$30,000,000 of commodities and services for the United
10 Nations War Crimes Tribunal established with regard to
11 the former Yugoslavia by the United Nations Security
12 Council or such other tribunals or commissions as the
13 Council may establish or authorize to deal with such viola-
14 tions, without regard to the ceiling limitation contained
15 in paragraph (2) thereof: *Provided*, That the determina-
16 tion required under this section shall be in lieu of any de-
17 terminations otherwise required under section 552(c): *Pro-*
18 *vided further*, That funds made available pursuant to this
19 section shall be made available subject to the regular noti-
20 fication procedures of the Committees on Appropriations.

21 (b) None of the funds appropriated by this Act may
22 be made available for a United States contribution to the
23 International Criminal Court: *Provided*, That funds may
24 be made available for technical assistance, training, assist-
25 ance for victims, protection of witnesses, and law enforce-

1 ment support related to international investigations, ap-
2 prehensions, prosecutions, and adjudications of genocide,
3 crimes against humanity, and war crimes: *Provided fur-*
4 *ther*, That the previous proviso shall not apply to inves-
5 tigation, apprehensions, or prosecutions of American
6 service members and other United States citizens or na-
7 tionals, or nationals of the North Atlantic Treaty Organi-
8 zation (NATO) or major non-NATO allies initially des-
9 igned pursuant to section 517(b) of the Foreign Assist-
10 ance Act of 1961.

11 GLOBAL INTERNET FREEDOM

12 SEC. 7050. (a) FUNDING.—Of the funds available for
13 obligation during fiscal year 2020 under the headings
14 “International Broadcasting Operations”, “Economic
15 Support Fund”, “Democracy Fund”, and “Assistance for
16 Europe, Eurasia and Central Asia”, not less than
17 \$65,500,000 shall be made available for programs to pro-
18 mote Internet freedom globally: *Provided*, That such pro-
19 grams shall be prioritized for countries whose governments
20 restrict freedom of expression on the Internet, and that
21 are important to the national interest of the United
22 States: *Provided further*, That funds made available pursu-
23 ant to this section shall be matched, to the maximum ex-
24 tent practicable, by sources other than the United States
25 Government, including from the private sector.

1 (b) REQUIREMENTS.—

2 (1) DEPARTMENT OF STATE AND UNITED
3 STATES AGENCY FOR INTERNATIONAL DEVELOP-
4 MENT.—Funds appropriated by this Act under the
5 headings “Economic Support Fund”, “Democracy
6 Fund”, and “Assistance for Europe, Eurasia and
7 Central Asia” that are made available pursuant to
8 subsection (a) shall be—

9 (A) coordinated with other democracy pro-
10 grams funded by this Act under such headings,
11 and shall be incorporated into country assist-
12 ance and democracy promotion strategies, as
13 appropriate;

14 (B) for programs to implement the May
15 2011, International Strategy for Cyberspace,
16 the Department of State International Cyber-
17 space Policy Strategy required by section 402
18 of the Cybersecurity Act of 2015 (division N of
19 Public Law 114–113), and the comprehensive
20 strategy to promote Internet freedom and ac-
21 cess to information in Iran, as required by sec-
22 tion 414 of the Iran Threat Reduction and
23 Syria Human Rights Act of 2012 (22 U.S.C.
24 8754);

1 (C) made available for programs that sup-
2 port the efforts of civil society to counter the
3 development of repressive Internet-related laws
4 and regulations, including countering threats to
5 Internet freedom at international organizations;
6 to combat violence against bloggers and other
7 users; and to enhance digital security training
8 and capacity building for democracy activists;

9 (D) made available for research of key
10 threats to Internet freedom; the continued de-
11 velopment of technologies that provide or en-
12 hance access to the Internet, including cir-
13 cumvention tools that bypass Internet blocking,
14 filtering, and other censorship techniques used
15 by authoritarian governments; and maintenance
16 of the technological advantage of the United
17 States Government over such censorship tech-
18 niques: *Provided*, That the Secretary of State,
19 in consultation with the Chief Executive Officer
20 (CEO) of the United States Agency for Global
21 Media (USAGM), shall coordinate any such re-
22 search and development programs with other
23 relevant United States Government depart-
24 ments and agencies in order to share informa-

1 tion, technologies, and best practices, and to as-
2 sess the effectiveness of such technologies; and

3 (E) made available only after the Assistant
4 Secretary for Democracy, Human Rights, and
5 Labor, Department of State, concurs that such
6 funds are allocated consistent with—

7 (i) the strategies referenced in sub-
8 paragraph (B) of this paragraph;

9 (ii) best practices regarding security
10 for, and oversight of, Internet freedom pro-
11 grams; and

12 (iii) sufficient resources and support
13 for the development and maintenance of
14 anti-censorship technology and tools.

15 (2) UNITED STATES AGENCY FOR GLOBAL
16 MEDIA.—Funds appropriated by this Act under the
17 heading “International Broadcasting Operations”
18 that are made available pursuant to subsection (a)
19 shall be—

20 (A) made available only for tools and tech-
21 niques to securely develop and distribute
22 USAGM digital content, facilitate audience ac-
23 cess to such content on websites that are
24 censored, coordinate the distribution of
25 USAGM digital content to targeted regional au-

1 diences, and to promote and distribute such
2 tools and techniques, including digital security
3 techniques;

4 (B) coordinated with programs funded by
5 this Act under the heading “International
6 Broadcasting Operations”, and shall be incor-
7 porated into country broadcasting strategies, as
8 appropriate;

9 (C) coordinated by the USAGM CEO to
10 provide Internet circumvention tools and tech-
11 niques for audiences in countries that are stra-
12 tegic priorities for the USAGM and in a man-
13 ner consistent with the USAGM Internet free-
14 dom strategy; and

15 (D) made available for the research and
16 development of new tools or techniques author-
17 ized in subparagraph (A) only after the
18 USAGM CEO, in consultation with the Sec-
19 retary of State and other relevant United
20 States Government departments and agencies,
21 evaluates the risks and benefits of such new
22 tools or techniques, and establishes safeguards
23 to minimize the use of such new tools or tech-
24 niques for illicit purposes.

1 (c) COORDINATION AND SPEND PLANS.—After con-
2 sultation among the relevant agency heads to coordinate
3 and de-conflict planned activities, but not later than 90
4 days after enactment of this Act, the Secretary of State
5 and the USAGM CEO shall submit to the Committees on
6 Appropriations spend plans for funds made available by
7 this Act for programs to promote Internet freedom glob-
8 ally, which shall include a description of safeguards estab-
9 lished by relevant agencies to ensure that such programs
10 are not used for illicit purposes: *Provided*, That the De-
11 partment of State spend plan shall include funding for all
12 such programs for all relevant Department of State and
13 the United States Agency for International Development
14 offices and bureaus.

15 (d) SECURITY AUDITS.—Funds made available pur-
16 suant to this section to promote Internet freedom globally
17 may only be made available to support technologies that
18 undergo comprehensive security audits conducted by the
19 Bureau of Democracy, Human Rights, and Labor, De-
20 partment of State to ensure that such technology is secure
21 and has not been compromised in a manner detrimental
22 to the interest of the United States or to individuals and
23 organizations benefiting from programs supported by such
24 funds: *Provided*, That the security auditing procedures

1 used by such Bureau shall be reviewed and updated peri-
2 odically to reflect current industry security standards.

3 (e) SURGE.—Of the funds appropriated by this Act
4 under the heading “Economic Support Fund”, up to
5 \$2,500,000 may be made available to surge Internet free-
6 dom programs in closed societies if the Secretary of State
7 determines and reports to the appropriate congressional
8 committees that such use of funds is in the national inter-
9 est: *Provided*, That such funds are in addition to amounts
10 made available for such purposes: *Provided further*, That
11 such funds may be transferred to, and merged with, funds
12 appropriated by this Act under the heading “International
13 Broadcasting Operations” following consultation with, and
14 the regular notification procedures of, the Committees on
15 Appropriations.

16 TORTURE AND OTHER CRUEL, INHUMAN, OR DEGRADING
17 TREATMENT OR PUNISHMENT

18 SEC. 7051. (a) LIMITATION.—None of the funds
19 made available by this Act may be used to support or jus-
20 tify the use of torture and other cruel, inhuman, or de-
21 grading treatment or punishment by any official or con-
22 tract employee of the United States Government.

23 (b) ASSISTANCE.—Funds appropriated under titles
24 III and IV of this Act shall be made available, notwith-
25 standing section 660 of the Foreign Assistance Act of

1 1961 and following consultation with the Committees on
2 Appropriations, for assistance to eliminate torture and
3 other cruel, inhuman, or degrading treatment or punish-
4 ment by foreign police, military or other security forces
5 in countries receiving assistance from funds appropriated
6 by this Act.

7 AIRCRAFT TRANSFER, COORDINATION, AND USE

8 SEC. 7052. (a) TRANSFER AUTHORITY.—Notwith-
9 standing any other provision of law or regulation, aircraft
10 procured with funds appropriated by this Act and prior
11 Acts making appropriations for the Department of State,
12 foreign operations, and related programs under the head-
13 ings “Diplomatic Programs”, “International Narcotics
14 Control and Law Enforcement”, “Andean Counterdrug
15 Initiative”, and “Andean Counterdrug Programs” may be
16 used for any other program and in any region.

17 (b) PROPERTY DISPOSAL.—The authority provided
18 in subsection (a) shall apply only after the Secretary of
19 State determines and reports to the Committees on Appro-
20 priations that the equipment is no longer required to meet
21 programmatic purposes in the designated country or re-
22 gion: *Provided*, That any such transfer shall be subject
23 to prior consultation with, and the regular notification
24 procedures of, the Committees on Appropriations.

25 (c) AIRCRAFT COORDINATION.—

1 (1) AUTHORITY.—The uses of aircraft pur-
2 chased or leased by the Department of State and the
3 United States Agency for International Development
4 with funds made available in this Act or prior Acts
5 making appropriations for the Department of State,
6 foreign operations, and related programs shall be co-
7 ordinated under the authority of the appropriate
8 Chief of Mission: *Provided*, That notwithstanding
9 section 7063(b) of this Act, such aircraft may be
10 used to transport, on a reimbursable or non-reim-
11 bursable basis, Federal and non-Federal personnel
12 supporting Department of State and USAID pro-
13 grams and activities: *Provided further*, That official
14 travel for other agencies for other purposes may be
15 supported on a reimbursable basis, or without reim-
16 bursement when traveling on a space available basis:
17 *Provided further*, That funds received by the Depart-
18 ment of State in connection with the use of aircraft
19 owned, leased, or chartered by the Department of
20 State may be credited to the Working Capital Fund
21 of the Department and shall be available for ex-
22 penses related to the purchase, lease, maintenance,
23 chartering, or operation of such aircraft.

24 (2) SCOPE.—The requirement and authorities
25 of this subsection shall only apply to aircraft, the

1 primary purpose of which is the transportation of
2 personnel.

3 (d) AIRCRAFT OPERATIONS AND MAINTENANCE.—

4 To the maximum extent practicable, the costs of oper-
5 ations and maintenance, including fuel, of aircraft funded
6 by this Act shall be borne by the recipient country.

7 PARKING FINES AND REAL PROPERTY TAXES OWED BY

8 FOREIGN GOVERNMENTS

9 SEC. 7053. The terms and conditions of section 7055
10 of the Department of State, Foreign Operations, and Re-
11 lated Programs Appropriations Act, 2010 (division F of
12 Public Law 111–117) shall apply to this Act: *Provided*,
13 That the date “September 30, 2009” in subsection
14 (f)(2)(B) of such section shall be deemed to be “Sep-
15 tember 30, 2019”.

16 INTERNATIONAL MONETARY FUND

17 SEC. 7054. (a) EXTENSIONS.—The terms and condi-
18 tions of sections 7086(b) (1) and (2) and 7090(a) of the
19 Department of State, Foreign Operations, and Related
20 Programs Appropriations Act, 2010 (division F of Public
21 Law 111–117) shall apply to this Act.

22 (b) REPAYMENT.—The Secretary of the Treasury
23 shall instruct the United States Executive Director of the
24 International Monetary Fund (IMF) to seek to ensure

1 that any loan will be repaid to the IMF before other pri-
2 vate or multilateral creditors.

3 EXTRADITION

4 SEC. 7055. (a) LIMITATION.—None of the funds ap-
5 propriated in this Act may be used to provide assistance
6 (other than funds provided under the headings “Inter-
7 national Disaster Assistance”, “Complex Crises Fund”,
8 “International Narcotics Control and Law Enforcement”,
9 “Migration and Refugee Assistance”, “United States
10 Emergency Refugee and Migration Assistance Fund”, and
11 “Nonproliferation, Anti-terrorism, Demining and Related
12 Assistance”) for the central government of a country
13 which has notified the Department of State of its refusal
14 to extradite to the United States any individual indicted
15 for a criminal offense for which the maximum penalty is
16 life imprisonment without the possibility of parole or for
17 killing a law enforcement officer, as specified in a United
18 States extradition request.

19 (b) CLARIFICATION.—Subsection (a) shall only apply
20 to the central government of a country with which the
21 United States maintains diplomatic relations and with
22 which the United States has an extradition treaty and the
23 government of that country is in violation of the terms
24 and conditions of the treaty.

1 (c) WAIVER.—The Secretary of State may waive the
2 restriction in subsection (a) on a case-by-case basis if the
3 Secretary certifies to the Committees on Appropriations
4 that such waiver is important to the national interest of
5 the United States.

6 IMPACT ON JOBS IN THE UNITED STATES

7 SEC. 7056. None of the funds appropriated or other-
8 wise made available under titles III through VI of this
9 Act may be obligated or expended to provide—

10 (1) any financial incentive to a business enter-
11 prise currently located in the United States for the
12 purpose of inducing such an enterprise to relocate
13 outside the United States if such incentive or in-
14 ducement is likely to reduce the number of employ-
15 ees of such business enterprise in the United States
16 because United States production is being replaced
17 by such enterprise outside the United States;

18 (2) assistance for any program, project, or ac-
19 tivity that contributes to the violation of internation-
20 ally recognized workers' rights, as defined in section
21 507(4) of the Trade Act of 1974, of workers in the
22 recipient country, including any designated zone or
23 area in that country: *Provided*, That the application
24 of section 507(4)(D) and (E) of such Act (19 U.S.C.
25 2467(4)(D) and (E)) should be commensurate with

1 the level of development of the recipient country and
2 sector, and shall not preclude assistance for the in-
3 formal sector in such country, micro and small-scale
4 enterprise, and smallholder agriculture;

5 (3) any assistance to an entity outside the
6 United States if such assistance is for the purpose
7 of directly relocating or transferring jobs from the
8 United States to other countries and adversely im-
9 pacts the labor force in the United States; or

10 (4) for the enforcement of any rule, regulation,
11 policy, or guidelines implemented pursuant to the
12 Supplemental Guidelines for High Carbon Intensity
13 Projects approved by the Export-Import Bank of the
14 United States on December 12, 2013, when enforce-
15 ment of such rule, regulation, policy, or guidelines
16 would prohibit, or have the effect of prohibiting, any
17 coal-fired or other power-generation project the pur-
18 pose of which is to—

19 (A) provide affordable electricity in Inter-
20 national Development Association (IDA)-eligible
21 countries and IDA-blend countries; and

22 (B) increase exports of goods and services
23 from the United States or prevent the loss of
24 jobs from the United States.

1 UNITED NATIONS POPULATION FUND

2 SEC. 7057. (a) CONTRIBUTION.—Of the funds made
3 available under the heading “International Organizations
4 and Programs” in this Act for fiscal year 2020,
5 \$32,500,000 shall be made available for the United Na-
6 tions Population Fund (UNFPA).

7 (b) AVAILABILITY OF FUNDS.—Funds appropriated
8 by this Act for UNFPA, that are not made available for
9 UNFPA because of the operation of any provision of law,
10 shall be transferred to the “Global Health Programs” ac-
11 count and shall be made available for family planning, ma-
12 ternal, and reproductive health activities, subject to the
13 regular notification procedures of the Committees on Ap-
14 propriations.

15 (c) PROHIBITION ON USE OF FUNDS IN CHINA.—
16 None of the funds made available by this Act may be used
17 by UNFPA for a country program in the People’s Repub-
18 lic of China.

19 (d) CONDITIONS ON AVAILABILITY OF FUNDS.—
20 Funds made available by this Act for UNFPA may not
21 be made available unless—

22 (1) UNFPA maintains funds made available by
23 this Act in an account separate from other accounts
24 of UNFPA and does not commingle such funds with
25 other sums; and

1 (2) UNFPA does not fund abortions.

2 (e) REPORT TO CONGRESS AND DOLLAR-FOR-DOL-
3 LAR WITHHOLDING OF FUNDS.—

4 (1) Not later than 4 months after the date of
5 enactment of this Act, the Secretary of State shall
6 submit a report to the Committees on Appropria-
7 tions indicating the amount of funds that UNFPA
8 is budgeting for the year in which the report is sub-
9 mitted for a country program in the People’s Repub-
10 lic of China.

11 (2) If a report under paragraph (1) indicates
12 that UNFPA plans to spend funds for a country
13 program in the People’s Republic of China in the
14 year covered by the report, then the amount of such
15 funds UNFPA plans to spend in the People’s Re-
16 public of China shall be deducted from the funds
17 made available to UNFPA after March 1 for obliga-
18 tion for the remainder of the fiscal year in which the
19 report is submitted.

20 GLOBAL HEALTH ACTIVITIES

21 SEC. 7058. (a) IN GENERAL.—Funds appropriated
22 by titles III and IV of this Act that are made available
23 for bilateral assistance for child survival activities or dis-
24 ease programs including activities relating to research on,
25 and the prevention, treatment and control of, HIV/AIDS

1 may be made available notwithstanding any other provi-
2 sion of law except for provisions under the heading “Glob-
3 al Health Programs” and the United States Leadership
4 Against HIV/AIDS, Tuberculosis, and Malaria Act of
5 2003 (117 Stat. 711; 22 U.S.C. 7601 et seq.), as amend-
6 ed: *Provided*, That of the funds appropriated under title
7 III of this Act, not less than \$575,000,000 should be made
8 available for family planning/reproductive health, includ-
9 ing in areas where population growth threatens biodiver-
10 sity or endangered species.

11 (b) INFECTIOUS DISEASE OUTBREAKS.—

12 (1) EXTRAORDINARY MEASURES.—If the Sec-
13 retary of State determines and reports to the Com-
14 mittees on Appropriations that an international in-
15 fectionous disease outbreak is sustained, severe, and is
16 spreading internationally, or that it is in the na-
17 tional interest to respond to a Public Health Emer-
18 gency of International Concern, funds appropriated
19 by this Act under the headings “Global Health Pro-
20 grams”, “Development Assistance”, “International
21 Disaster Assistance”, “Complex Crises Fund”,
22 “Economic Support Fund”, “Democracy Fund”,
23 “Assistance for Europe, Eurasia and Central Asia”,
24 “Migration and Refugee Assistance”, and “Millen-
25 nium Challenge Corporation” may be made available

1 to combat such infectious disease or public health
2 emergency, and may be transferred to, and merged
3 with, funds appropriated under such headings for
4 the purposes of this paragraph.

5 (2) EMERGENCY RESERVE FUND.—Up to
6 \$10,000,000 of the funds made available under the
7 heading “Global Health Programs” may be made
8 available for the Emergency Reserve Fund estab-
9 lished pursuant to section 7058(c)(1) of the Depart-
10 ment of State, Foreign Operations, and Related Pro-
11 grams Appropriations Act, 2017 (division J of Pub-
12 lic Law 115–31): *Provided*, That such funds shall be
13 made available under the same terms and conditions
14 of such section.

15 (3) EBOLA VIRUS DISEASE.—Funds appro-
16 priated by this Act and prior Acts making appro-
17 priations for the Department of State, foreign oper-
18 ations, and related programs under the heading
19 “International Disaster Assistance” that are made
20 available to respond to the Ebola virus disease out-
21 break in the Democratic Republic of the Congo, in-
22 cluding in countries affected by, or at risk of being
23 affected by, such outbreak, shall be the responsibility
24 of the Assistant Administrator for Democracy, Con-
25 flict, and Humanitarian Assistance, USAID, or suc-

1 (3) WOMEN’S GLOBAL DEVELOPMENT AND
2 PROSPERITY FUND.—Of the funds appropriated
3 under title III of this Act, up to \$100,000,000 may
4 be made available for the Women’s Global Develop-
5 ment and Prosperity Fund.

6 (b) WOMEN’S LEADERSHIP.—Of the funds appro-
7 priated by title III of this Act, not less than \$50,000,000
8 shall be made available for programs specifically designed
9 to increase leadership opportunities for women in coun-
10 tries where women and girls suffer discrimination due to
11 law, policy, or practice, by strengthening protections for
12 women’s political status, expanding women’s participation
13 in political parties and elections, and increasing women’s
14 opportunities for leadership positions in the public and
15 private sectors at the local, provincial, and national levels.

16 (c) GENDER-BASED VIOLENCE.—

17 (1) Of the funds appropriated under titles III
18 and IV of this Act, not less than \$165,000,000 shall
19 be made available to implement a multi-year strat-
20 egy to prevent and respond to gender-based violence
21 in countries where it is common in conflict and non-
22 conflict settings.

23 (2) Funds appropriated under titles III and IV
24 of this Act that are available to train foreign police,
25 judicial, and military personnel, including for inter-

1 national peacekeeping operations, shall address,
2 where appropriate, prevention and response to gen-
3 der-based violence and trafficking in persons, and
4 shall promote the integration of women into the po-
5 lice and other security forces.

6 (d) WOMEN, PEACE, AND SECURITY.—Funds appro-
7 priated by this Act under the headings “Development As-
8 sistance”, “Economic Support Fund”, “Assistance for Eu-
9 rope, Eurasia and Central Asia”, and “International Nar-
10 cotics Control and Law Enforcement” should be made
11 available to support a multi-year strategy to expand, and
12 improve coordination of, United States Government ef-
13 forts to empower women as equal partners in conflict pre-
14 vention, peace building, transitional processes, and recon-
15 struction efforts in countries affected by conflict or in po-
16 litical transition, and to ensure the equitable provision of
17 relief and recovery assistance to women and girls.

18 (e) WOMEN AND GIRLS AT RISK FROM EXTREMISM
19 AND CONFLICT.—Of the funds appropriated by this Act
20 under the heading “Economic Support Fund”, not less
21 than \$15,000,000 shall be made available to support
22 women and girls who are at risk from extremism and con-
23 flict, and for the activities described in section 7059(e)(1)
24 of the Department of State, Foreign Operations, and Re-
25 lated Programs Appropriations Act, 2018 (division K of

1 programs shall be subject to the regular notification
2 procedures of the Committees on Appropriations.

3 (B) Of the funds appropriated under title
4 III of this Act for assistance for basic education
5 programs, not less than \$125,000,000 shall be
6 made available for contributions to multilateral
7 partnerships that support education.

8 (2) HIGHER EDUCATION.—Of the funds appro-
9 priated by title III of this Act, not less than
10 \$235,000,000 shall be made available for assistance
11 for higher education: *Provided*, That such funds may
12 be made available notwithstanding any other provi-
13 sion of law that restricts assistance to foreign coun-
14 tries, and shall be subject to the regular notification
15 procedures of the Committees on Appropriations:
16 *Provided further*, That of such amount, not less than
17 \$35,000,000 shall be made available for new and on-
18 going partnerships between higher education institu-
19 tions in the United States and developing countries
20 focused on building the capacity of higher education
21 institutions and systems in developing countries:
22 *Provided further*, That not later than 45 days after
23 enactment of this Act, the USAID Administrator
24 shall consult with the Committees on Appropriations
25 on the proposed uses of funds for such partnerships.

1 (b) DEVELOPMENT PROGRAMS.—Of the funds appro-
2 priated by this Act under the heading “Development As-
3 sistance”, not less than \$17,000,000 shall be made avail-
4 able for cooperative development programs of USAID and
5 not less than \$30,000,000 shall be made available for the
6 American Schools and Hospitals Abroad program.

7 (c) ENVIRONMENT PROGRAMS.—

8 (1)(A) Funds appropriated by this Act to carry
9 out the provisions of sections 103 through 106, and
10 chapter 4 of part II, of the Foreign Assistance Act
11 of 1961 may be used, notwithstanding any other
12 provision of law, except for the provisions of this
13 subsection, to support environment programs.

14 (B) Funds made available pursuant to this sub-
15 section shall be subject to the regular notification
16 procedures of the Committees on Appropriations.

17 (2)(A) Of the funds appropriated under title III
18 of this Act, not less than \$315,000,000 shall be
19 made available for biodiversity conservation pro-
20 grams.

21 (B) Not less than \$100,664,000 of the funds
22 appropriated under titles III and IV of this Act shall
23 be made available to combat the transnational threat
24 of wildlife poaching and trafficking.

1 (C) None of the funds appropriated under title
2 IV of this Act may be made available for training or
3 other assistance for any military unit or personnel
4 that the Secretary of State determines has been
5 credibly alleged to have participated in wildlife
6 poaching or trafficking, unless the Secretary reports
7 to the appropriate congressional committees that to
8 do so is in the national security interest of the
9 United States.

10 (D) Funds appropriated by this Act for bio-
11 diversity programs shall not be used to support the
12 expansion of industrial scale logging or any other in-
13 dustrial scale extractive activity into areas that were
14 primary/intact tropical forests as of December 30,
15 2013, and the Secretary of the Treasury shall in-
16 struct the United States executive directors of each
17 international financial institutions (IFI) to use the
18 voice and vote of the United States to oppose any
19 financing of any such activity.

20 (3) The Secretary of the Treasury shall instruct
21 the United States executive director of each IFI that
22 it is the policy of the United States to use the voice
23 and vote of the United States, in relation to any
24 loan, grant, strategy, or policy of such institution,
25 regarding the construction of any large dam con-

1 sistent with the criteria set forth in Senate Report
2 114–79, while also considering whether the project
3 involves important foreign policy objectives.

4 (4) Of the funds appropriated under title III of
5 this Act, not less than \$135,000,000 shall be made
6 available for sustainable landscapes programs.

7 (5) Of the funds appropriated under title III of
8 this Act, not less than \$177,000,000 shall be made
9 available for adaptation programs.

10 (6) Of the funds appropriated under title III of
11 this Act, not less than \$179,000,000 shall be made
12 available for renewable energy programs.

13 (d) FOOD SECURITY AND AGRICULTURAL DEVELOP-
14 MENT.—Of the funds appropriated by title III of this Act,
15 not less than \$1,005,600,000 shall be made available for
16 food security and agricultural development programs to
17 carry out the purposes of the Global Food Security Act
18 of 2016 (Public Law 114–195): *Provided*, That funds may
19 be made available for a contribution as authorized by sec-
20 tion 3202 of the Food, Conservation, and Energy Act of
21 2008 (Public Law 110–246), as amended by section 3310
22 of the Agriculture Improvement Act of 2018 (Public Law
23 115–334).

24 (e) MICRO, SMALL, AND MEDIUM-SIZED ENTER-
25 PRISES.—Of the funds appropriated by this Act, not less

1 than \$265,000,000 shall be made available to support the
2 development of, and access to financing for, micro, small,
3 and medium-sized enterprises that benefit the poor, espe-
4 cially women.

5 (f) PROGRAMS TO COMBAT TRAFFICKING IN PER-
6 SONS.—Of the funds appropriated by this Act under the
7 headings “Development Assistance”, “Economic Support
8 Fund”, “Assistance for Europe, Eurasia and Central
9 Asia”, and “International Narcotics Control and Law En-
10 forcement”, not less than \$67,000,000 shall be made
11 available for activities to combat trafficking in persons
12 internationally, of which not less than \$45,000,000 shall
13 be from funds made available under the heading “Inter-
14 national Narcotics Control and Law Enforcement”: *Pro-*
15 *vided*, That funds appropriated by this Act that are made
16 available for programs to end modern slavery shall be in
17 addition to funds made available by this subsection to
18 combat trafficking in persons.

19 (g) RECONCILIATION PROGRAMS.—Of the funds ap-
20 propriated by this Act under the heading “Development
21 Assistance”, not less than \$30,000,000 shall be made
22 available to support people-to-people reconciliation pro-
23 grams which bring together individuals of different ethnic,
24 religious, and political backgrounds from areas of civil
25 strife and war, including between Israelis and Palestinians

1 living in the West Bank and Gaza: *Provided*, That the
2 USAID Administrator shall consult with the Committees
3 on Appropriations, prior to the initial obligation of funds,
4 on the uses of such funds, and such funds shall be subject
5 to the regular notification procedures of the Committees
6 on Appropriations: *Provided further*, That to the maximum
7 extent practicable, such funds shall be matched by sources
8 other than the United States Government: *Provided fur-*
9 *ther*, That such funds shall be administered by the Office
10 of Conflict Management and Mitigation, USAID.

11 (h) WATER AND SANITATION.—Of the funds appro-
12 priated by this Act, not less than \$450,000,000 shall be
13 made available for water supply and sanitation projects
14 pursuant to section 136 of the Foreign Assistance Act of
15 1961, of which not less than \$225,000,000 shall be for
16 programs in sub-Saharan Africa, and of which not less
17 than \$15,000,000 shall be made available to support ini-
18 tiatives by local communities in developing countries to
19 build and maintain safe latrines.

20 BUDGET DOCUMENTS

21 SEC. 7061. (a) OPERATING PLANS.—Not later than
22 45 days after enactment of this Act, each department,
23 agency, or organization funded in titles I, II, and VI of
24 this Act, and the Department of the Treasury and Inde-
25 pendent Agencies funded in title III of this Act, including

1 the Inter-American Foundation and the United States Af-
2 rican Development Foundation, shall submit to the Com-
3 mittees on Appropriations an operating plan for funds ap-
4 propriated to such department, agency, or organization in
5 such titles of this Act, or funds otherwise available for ob-
6 ligation in fiscal year 2020, that provides details of the
7 uses of such funds at the program, project, and activity
8 level: *Provided*, That such plans shall include, as applica-
9 ble, a comparison between the congressional budget jus-
10 tification funding levels, the most recent congressional di-
11 rectives or approved funding levels, and the funding levels
12 proposed by the department or agency; and a clear, con-
13 cise, and informative description/justification: *Provided*
14 *further*, That operating plans that include changes in lev-
15 els of funding for programs, projects, and activities speci-
16 fied in the congressional budget justification, in this Act,
17 or amounts specifically designated in the respective tables
18 included in the explanatory statement described in section
19 4 (in the matter preceding division A of this consolidated
20 Act), as applicable, shall be subject to the notification and
21 reprogramming requirements of section 7015 of this Act.

22 (b) SPEND PLANS.—

23 (1) Not later than 90 days after enactment of
24 this Act, the Secretary of State or Administrator of
25 the United States Agency for International Develop-

1 ment, as appropriate, shall submit to the Commit-
2 tees on Appropriations a spend plan for funds made
3 available by this Act, for—

4 (A) assistance for Afghanistan, Iraq, Leb-
5 anon, Pakistan, Colombia, and countries in
6 Central America;

7 (B) assistance made available pursuant to
8 section 7047(d) of this Act to counter Russian
9 influence and aggression, except that such plan
10 shall be on a country-by-country basis;

11 (C) assistance made available pursuant to
12 section 7059 of this Act;

13 (D) the Indo-Pacific Strategy;

14 (E) democracy programs, Power Africa,
15 and sectors enumerated in subsections (a), (c),
16 (d), (e), (f), (g) and (h) of section 7060 of this
17 Act;

18 (F) funds provided under the heading
19 “International Narcotics Control and Law En-
20 forcement” for International Organized Crime
21 and for Cybercrime and Intellectual Property
22 Rights: *Provided*, That the spend plans shall in-
23 clude bilateral and global programs funded
24 under such heading along with a brief descrip-

1 tion of the activities planned for each country;
2 and

3 (G) the regional security initiatives de-
4 scribed under this heading in Senate Report
5 116–126.

6 (2) Not later than 90 days after enactment of
7 this Act, the Secretary of the Treasury shall submit
8 to the Committees on Appropriations a detailed
9 spend plan for funds made available by this Act
10 under the heading “Department of the Treasury,
11 International Affairs Technical Assistance” in title
12 III.

13 (c) SPENDING REPORT.—Not later than 45 days
14 after enactment of this Act, the USAID Administrator
15 shall submit to the Committees on Appropriations a de-
16 tailed report on spending of funds made available during
17 fiscal year 2019 under the heading “Development Credit
18 Authority”.

19 (d) CLARIFICATION.—The spend plans referenced in
20 subsection (b) shall not be considered as meeting the noti-
21 fication requirements in this Act or under section 634A
22 of the Foreign Assistance Act of 1961.

23 (e) CONGRESSIONAL BUDGET JUSTIFICATION.—

24 (1) SUBMISSION.—The congressional budget
25 justification for Department of State operations and

1 foreign operations shall be provided to the Commit-
2 tees on Appropriations concurrent with the date of
3 submission of the President’s budget for fiscal year
4 2021: *Provided*, That the appendices for such jus-
5 tification shall be provided to the Committees on Ap-
6 propriations not later than 10 calendar days there-
7 after.

8 (2) MULTI-YEAR AVAILABILITY OF CERTAIN
9 FUNDS.—The Secretary of State and the USAID
10 Administrator shall include in the congressional
11 budget justification a detailed justification for multi-
12 year availability for any funds requested under the
13 headings “Diplomatic Programs” and “Operating
14 Expenses”.

15 REORGANIZATION

16 SEC. 7062. (a) OVERSIGHT.—

17 (1) PRIOR CONSULTATION AND NOTIFICA-
18 TION.—Funds appropriated by this Act, prior Acts
19 making appropriations for the Department of State,
20 foreign operations, and related programs, or any
21 other Act may not be used to implement a reorga-
22 nization, redesign, or other plan described in para-
23 graph (2) by the Department of State, the United
24 States Agency for International Development, or any
25 other Federal department, agency, or organization

1 funded by this Act without prior consultation by the
2 head of such department, agency, or organization
3 with the appropriate congressional committees: *Pro-*
4 *vided*, That such funds shall be subject to the reg-
5 ular notification procedures of the Committees on
6 Appropriations: *Provided further*, That any such no-
7 tification submitted to such Committees shall include
8 a detailed justification for any proposed action, in-
9 cluding the information specified under section 7073
10 of the joint explanatory statement accompanying the
11 Department of State, Foreign Operations, and Re-
12 lated Programs Appropriations Act, 2019 (division
13 F of Public Law 116–6): *Provided further*, That con-
14 gressional notifications submitted in prior fiscal
15 years pursuant to similar provisions of law in prior
16 Acts making appropriations for the Department of
17 State, foreign operations, and related programs may
18 be deemed to meet the notification requirements of
19 this section.

20 (2) DESCRIPTION OF ACTIVITIES.—Pursuant to
21 paragraph (1), a reorganization, redesign, or other
22 plan shall include any action to—

23 (A) expand, eliminate, consolidate, or
24 downsize covered departments, agencies, or or-
25 ganizations, including bureaus and offices with-

1 in or between such departments, agencies, or
2 organizations, including the transfer to other
3 agencies of the authorities and responsibilities
4 of such bureaus and offices;

5 (B) expand, eliminate, consolidate, or
6 downsize the United States official presence
7 overseas, including at bilateral, regional, and
8 multilateral diplomatic facilities and other plat-
9 forms; or

10 (C) expand or reduce the size of the per-
11 manent Civil Service, Foreign Service, eligible
12 family member, and locally employed staff
13 workforce of the Department of State and
14 USAID from the levels specified in sections
15 7063(d)(1) and 7064(i)(1) of this Act.

16 (b) ADDITIONAL REQUIREMENTS AND LIMITA-
17 TIONS.—

18 (1) USAID REORGANIZATION.—Not later than
19 30 days after enactment of this Act, and quarterly
20 thereafter until September 30, 2021, the USAID
21 Administrator shall submit a report to the appro-
22 priate congressional committees on the status of
23 USAID’s reorganization in the manner described in
24 House Report 116–78.

1 (2) BUREAU OF POPULATION, REFUGEES, AND
2 MIGRATION, DEPARTMENT OF STATE.—None of the
3 funds appropriated by this Act, prior Acts making
4 appropriations for the Department of State, foreign
5 operations, and related programs, or any other Act
6 may be used to downsize, downgrade, consolidate,
7 close, move, or relocate the Bureau of Population,
8 Refugees, and Migration, Department of State, or
9 any activities of such Bureau, to another Federal
10 agency.

11 (3) ADMINISTRATION OF FUNDS.—Funds made
12 available by this Act—

13 (A) under the heading “Migration and
14 Refugee Assistance” shall be administered by
15 the Assistant Secretary for Population, Refu-
16 gees, and Migration, Department of State, and
17 this responsibility shall not be delegated; and

18 (B) that are made available for the Office
19 of Global Women’s Issues shall be administered
20 by the United States Ambassador-at-Large for
21 Global Women’s Issues, Department of State,
22 and this responsibility shall not be delegated.

23 DEPARTMENT OF STATE MANAGEMENT

24 SEC. 7063. (a) FINANCIAL SYSTEMS IMPROVE-
25 MENT.—Funds appropriated by this Act for the operations

1 of the Department of State under the headings “Diplo-
2 matic Programs” and “Capital Investment Fund” shall be
3 made available to implement the recommendations con-
4 tained in the Foreign Assistance Data Review Findings
5 Report (FADR) and the Office of Inspector General (OIG)
6 report entitled “Department Financial Systems Are Insuf-
7 ficient to Track and Report on Foreign Assistance
8 Funds”: *Provided*, That not later than 45 days after en-
9 actment of this Act, the Secretary of State shall submit
10 to the Committees on Appropriations an update to the
11 plan required under section 7006 of the Department of
12 State, Foreign Operations, and Related Programs Appro-
13 priations Act, 2017 (division J of Public Law 115–31) for
14 implementing the FADR and OIG recommendations: *Pro-*
15 *vided further*, That such funds may not be obligated for
16 enhancements to, or expansions of, the Budget System
17 Modernization Financial System, Central Resource Man-
18 agement System, Joint Financial Management System, or
19 Foreign Assistance Coordination and Tracking System
20 until such updated plan is submitted to the Committees
21 on Appropriations: *Provided further*, That such funds may
22 not be obligated for new, or expansion of existing, ad hoc
23 electronic systems to track commitments, obligations, or
24 expenditures of funds unless the Secretary of State, fol-
25 lowing consultation with the Chief Information Officer of

1 the Department of State, has reviewed and certified that
2 such new system or expansion is consistent with the
3 FADR and OIG recommendations.

4 (b) WORKING CAPITAL FUND.—Funds appropriated
5 by this Act or otherwise made available to the Department
6 of State for payments to the Working Capital Fund may
7 only be used for the service centers included in the Con-
8 gressional Budget Justification, Department of State,
9 Foreign Operations, and Related Programs, Fiscal Year
10 2020: *Provided*, That the amounts for such service centers
11 shall be the amounts included in such budget justification,
12 except as provided in section 7015(b) of this Act: *Provided*
13 *further*, That Federal agency components shall be charged
14 only for their direct usage of each Working Capital Fund
15 service: *Provided further*, That prior to increasing the per-
16 centage charged to Department of State bureaus and of-
17 fices for procurement-related activities, the Secretary of
18 State shall include the proposed increase in the Depart-
19 ment of State budget justification or, at least 60 days
20 prior to the increase, provide the Committees on Appro-
21 priations a justification for such increase, including a de-
22 tailed assessment of the cost and benefit of the services
23 provided by the procurement fee: *Provided further*, That
24 Federal agency components may only pay for Working
25 Capital Fund services that are consistent with the purpose

1 and authorities of such components: *Provided further*,
2 That the Working Capital Fund shall be paid in advance
3 or reimbursed at rates which will return the full cost of
4 each service.

5 (c) CERTIFICATION.—

6 (1) COMPLIANCE.—Not later than 45 days
7 after the initial obligation of funds appropriated
8 under titles III and IV of this Act that are made
9 available to a Department of State bureau or office
10 with responsibility for the management and over-
11 sight of such funds, the Secretary of State shall cer-
12 tify and report to the Committees on Appropria-
13 tions, on an individual bureau or office basis, that
14 such bureau or office is in compliance with Depart-
15 ment and Federal financial and grants management
16 policies, procedures, and regulations, as applicable.

17 (2) CONSIDERATIONS.—When making a certifi-
18 cation required by paragraph (1), the Secretary of
19 State shall consider the capacity of a bureau or of-
20 fice to—

21 (A) account for the obligated funds at the
22 country and program level, as appropriate;

23 (B) identify risks and develop mitigation
24 and monitoring plans;

1 (C) establish performance measures and
2 indicators;

3 (D) review activities and performance; and

4 (E) assess final results and reconcile fi-
5 nances.

6 (3) PLAN.—If the Secretary of State is unable
7 to make a certification required by paragraph (1),
8 the Secretary shall submit a plan and timeline de-
9 tailing the steps to be taken to bring such bureau
10 or office into compliance.

11 (d) PERSONNEL LEVELS.—

12 (1) Funds made available by this Act are made
13 available to support the permanent Foreign Service
14 and Civil Service staff levels of the Department of
15 State at not less than the hiring targets established
16 in the fiscal year 2019 operating plan.

17 (2) Not later than 60 days after enactment of
18 this Act, and every 60 days thereafter until Sep-
19 tember 30, 2021, the Secretary of State shall report
20 to the appropriate congressional committees on the
21 on-board personnel levels, hiring, and attrition of the
22 Civil Service, Foreign Service, eligible family mem-
23 ber, and locally employed staff workforce of the De-
24 partment of State, on an operating unit-by-operating
25 unit basis: *Provided*, That such report shall also in-

1 clude a hiring plan, including timelines, for main-
2 taining the agency-wide, on-board Foreign Service
3 and Civil Service at not less than the levels specified
4 in paragraph (1).

5 (e) INFORMATION TECHNOLOGY PLATFORM.—

6 (1) None of the funds appropriated in title I of
7 this Act under the heading “Administration of For-
8 eign Affairs” may be made available for a new major
9 information technology (IT) investment without the
10 concurrence of the Chief Information Officer, De-
11 partment of State.

12 (2) None of the funds made available by this
13 Act and prior Acts making appropriations for the
14 Department of State, foreign operations, and related
15 programs may be used by an agency to submit a
16 project proposal to the Technology Modernization
17 Board for funding from the Technology Moderniza-
18 tion Fund unless, not later than 15 days in advance
19 of submitting the project proposal to the Board, the
20 head of the agency—

21 (A) notifies the Committees on Appropria-
22 tions of the proposed submission of the project
23 proposal; and

24 (B) submits to the Committees on Appro-
25 priations a copy of the project proposal.

1 (3) None of the funds made available by this
2 Act and prior Acts making appropriations for the
3 Department of State, foreign operations, and related
4 programs may be used by an agency to carry out a
5 project that is approved by the Board unless the
6 head of the agency—

7 (A) submits to the Committees on Appro-
8 priations a copy of the approved project pro-
9 posal, including the terms of reimbursement of
10 funding received for the project; and

11 (B) agrees to submit to the Committees on
12 Appropriations a copy of each report relating to
13 the project that the head of the agency submits
14 to the Board.

15 UNITED STATES AGENCY FOR INTERNATIONAL
16 DEVELOPMENT MANAGEMENT

17 SEC. 7064. (a) AUTHORITY.—Up to \$100,000,000 of
18 the funds made available in title III of this Act pursuant
19 to or to carry out the provisions of part I of the Foreign
20 Assistance Act of 1961, including funds appropriated
21 under the heading “Assistance for Europe, Eurasia and
22 Central Asia”, may be used by the United States Agency
23 for International Development to hire and employ individ-
24 uals in the United States and overseas on a limited ap-
25 pointment basis pursuant to the authority of sections 308

1 and 309 of the Foreign Service Act of 1980 (22 U.S.C.
2 3948 and 3949).

3 (b) RESTRICTION.—The authority to hire individuals
4 contained in subsection (a) shall expire on September 30,
5 2021.

6 (c) PROGRAM ACCOUNT CHARGED.—The account
7 charged for the cost of an individual hired and employed
8 under the authority of this section shall be the account
9 to which the responsibilities of such individual primarily
10 relate: *Provided*, That funds made available to carry out
11 this section may be transferred to, and merged with, funds
12 appropriated by this Act in title II under the heading “Op-
13 erating Expenses”.

14 (d) FOREIGN SERVICE LIMITED EXTENSIONS.—Indi-
15 viduals hired and employed by USAID, with funds made
16 available in this Act or prior Acts making appropriations
17 for the Department of State, foreign operations, and re-
18 lated programs, pursuant to the authority of section 309
19 of the Foreign Service Act of 1980 (22 U.S.C. 3949), may
20 be extended for a period of up to 4 years notwithstanding
21 the limitation set forth in such section.

22 (e) DISASTER SURGE CAPACITY.—Funds appro-
23 priated under title III of this Act to carry out part I of
24 the Foreign Assistance Act of 1961, including funds ap-
25 propriated under the heading “Assistance for Europe,

1 Eurasia and Central Asia”, may be used, in addition to
2 funds otherwise available for such purposes, for the cost
3 (including the support costs) of individuals detailed to or
4 employed by USAID whose primary responsibility is to
5 carry out programs in response to natural disasters, or
6 man-made disasters subject to the regular notification
7 procedures of the Committees on Appropriations.

8 (f) PERSONAL SERVICES CONTRACTORS.—Funds ap-
9 propriated by this Act to carry out chapter 1 of part I,
10 chapter 4 of part II, and section 667 of the Foreign As-
11 sistance Act of 1961, and title II of the Food for Peace
12 Act (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be
13 used by USAID to employ up to 40 personal services con-
14 tractors in the United States, notwithstanding any other
15 provision of law, for the purpose of providing direct, in-
16 terim support for new or expanded overseas programs and
17 activities managed by the agency until permanent direct
18 hire personnel are hired and trained: *Provided*, That not
19 more than 15 of such contractors shall be assigned to any
20 bureau or office: *Provided further*, That such funds appro-
21 priated to carry out title II of the Food for Peace Act
22 (Public Law 83–480; 7 U.S.C. 1721 et seq.), may be made
23 available only for personal services contractors assigned
24 to the Office of Food for Peace.

1 (g) SMALL BUSINESS.—In entering into multiple
2 award indefinite-quantity contracts with funds appro-
3 priated by this Act, USAID may provide an exception to
4 the fair opportunity process for placing task orders under
5 such contracts when the order is placed with any category
6 of small or small disadvantaged business.

7 (h) SENIOR FOREIGN SERVICE LIMITED APPOINT-
8 MENTS.—Individuals hired pursuant to the authority pro-
9 vided by section 7059(o) of the Department of State, For-
10 eign Operations, and Related Programs Appropriations
11 Act, 2010 (division F of Public Law 111–117) may be
12 assigned to or support programs in Afghanistan or Paki-
13 stan with funds made available in this Act and prior Acts
14 making appropriations for the Department of State, for-
15 eign operations, and related programs.

16 (i) PERSONNEL LEVELS.—

17 (1) Funds made available by this Act under the
18 heading “Operating Expenses” are made available to
19 support 1,850 permanent Foreign Service Officers
20 and 1,600 permanent Civil Service staff.

21 (2) Not later than 60 days after enactment of
22 this Act, and every 60 days thereafter until Sep-
23 tember 30, 2021, the USAID Administrator shall re-
24 port to the appropriate congressional committees on
25 the on-board personnel levels, hiring, and attrition of

1 the Civil Service, Foreign Service, and foreign serv-
2 ice national workforce of USAID, on an operating
3 unit-by-operating unit basis: *Provided*, That such re-
4 port shall also include a hiring plan, including
5 timelines, for maintaining the agency-wide, on-board
6 Foreign Service Officers and Civil Service staff at
7 not less than the levels specified in paragraph (1).

8 STABILIZATION AND DEVELOPMENT IN REGIONS

9 IMPACTED BY EXTREMISM AND CONFLICT

10 SEC. 7065. (a) RELIEF AND RECOVERY FUND.—

11 (1) FUNDS AND TRANSFER AUTHORITY.—Of
12 the funds appropriated by this Act under the head-
13 ings “Economic Support Fund”, “International Nar-
14 cotics Control and Law Enforcement”, “Non-
15 proliferation, Anti-terrorism, Demining and Related
16 Programs”, “Peacekeeping Operations”, and “For-
17 eign Military Financing Program”, not less than
18 \$200,000,000 shall be made available for the Relief
19 and Recovery Fund for assistance for areas liberated
20 or at risk from, or under the control of, the Islamic
21 State of Iraq and Syria, other terrorist organiza-
22 tions, or violent extremist organizations, including
23 for stabilization assistance for vulnerable ethnic and
24 religious minority communities affected by conflict:
25 *Provided*, That unless specifically designated in this

1 Act or in the explanatory statement described in sec-
2 tion 4 (in the matter preceding division A of this
3 consolidated Act) for assistance for countries, such
4 funds are in addition to amounts otherwise made
5 available for such purposes: *Provided further*, That
6 such funds appropriated under such headings may
7 be transferred to, and merged with, funds appro-
8 priated under such headings: *Provided further*, That
9 such transfer authority is in addition to any other
10 transfer authority provided by this Act or any other
11 Act, and is subject to the regular notification proce-
12 dures of the Committees on Appropriations.

13 (2) TRANSITIONAL JUSTICE.—Of the funds ap-
14 propriated by this Act under the headings “Eco-
15 nomic Support Fund” and “International Narcotics
16 Control and Law Enforcement” that are made avail-
17 able for the Relief and Recovery Fund, not less than
18 \$10,000,000 shall be made available for programs to
19 promote accountability for genocide, crimes against
20 humanity, and war crimes, including in Iraq and
21 Syria, which shall be in addition to any other funds
22 made available by this Act for such purposes: *Pro-*
23 *vided*, That such programs shall include components
24 to develop local investigative and judicial skills, and
25 to collect and preserve evidence and maintain the

1 chain of custody of evidence, including for use in
2 prosecutions, and may include the establishment of,
3 and assistance for, transitional justice mechanisms:
4 *Provided further*, That such funds shall be adminis-
5 tered by the Special Coordinator for the Office of
6 Global Criminal Justice, Department of State: *Pro-*
7 *vided further*, That funds made available by this
8 paragraph shall be made available on an open and
9 competitive basis.

10 (b) COUNTERING VIOLENT EXTREMISM IN ASIA.—
11 Of the funds appropriated by this Act under the heading
12 “Economic Support Fund”, not less than \$2,500,000 shall
13 be made available for programs to counter violent extre-
14 mism in Asia, including within the Buddhist community:
15 *Provided*, That such funds are in addition to funds other-
16 wise made available by this Act for such purposes.

17 (c) GLOBAL COMMUNITY ENGAGEMENT AND RESIL-
18 IENCE FUND.—Of the funds appropriated by this Act and
19 prior Acts making appropriations for the Department of
20 State, foreign operations, and related programs under the
21 heading “Economic Support Fund”, \$5,000,000 shall be
22 made available to the Global Community Engagement and
23 Resilience Fund (GCERF), including as a contribution:
24 *Provided*, That any such funds made available for the
25 GCERF shall be made available on a cost-matching basis

1 from sources other than the United States Government,
2 to the maximum extent practicable, and shall be subject
3 to the regular notification procedures of the Committees
4 on Appropriations.

5 (d) GLOBAL CONCESSIONAL FINANCING FACILITY.—
6 Of the funds appropriated by this Act under the heading
7 “Economic Support Fund”, \$25,000,000 shall be made
8 available for the Global Concessional Financing Facility
9 of the World Bank to provide financing to support refu-
10 gees and host communities: *Provided*, That such funds
11 shall be in addition to funds allocated for bilateral assist-
12 ance in the report required by section 653(a) of the For-
13 eign Assistance Act of 1961, and may only be made avail-
14 able subject to prior to consultation with the Committees
15 on Appropriations.

16 DISABILITY PROGRAMS

17 SEC. 7066. (a) ASSISTANCE.—Funds appropriated by
18 this Act under the heading “Development Assistance”
19 shall be made available for programs and activities admin-
20 istered by the United States Agency for International De-
21 velopment to address the needs and protect and promote
22 the rights of people with disabilities in developing coun-
23 tries, including initiatives that focus on independent living,
24 economic self-sufficiency, advocacy, education, employ-

1 ment, transportation, sports, and integration of individ-
2 uals with disabilities, including for the cost of translation.

3 (b) MANAGEMENT, OVERSIGHT, AND TECHNICAL
4 SUPPORT.—Of the funds made available pursuant to this
5 section, 5 percent may be used by USAID for manage-
6 ment, oversight, and technical support.

7 DEBT-FOR-DEVELOPMENT

8 SEC. 7067. In order to enhance the continued partici-
9 pation of nongovernmental organizations in debt-for-devel-
10 opment and debt-for-nature exchanges, a nongovern-
11 mental organization which is a grantee or contractor of
12 the United States Agency for International Development
13 may place in interest bearing accounts local currencies
14 which accrue to that organization as a result of economic
15 assistance provided under title III of this Act and, subject
16 to the regular notification procedures of the Committees
17 on Appropriations, any interest earned on such investment
18 shall be used for the purpose for which the assistance was
19 provided to that organization.

20 ENTERPRISE FUNDS

21 SEC. 7068. (a) NOTIFICATION.—None of the funds
22 made available under titles III through VI of this Act may
23 be made available for Enterprise Funds unless the appro-
24 priate congressional committees are notified at least 15
25 days in advance.

1 (b) DISTRIBUTION OF ASSETS PLAN.—Prior to the
2 distribution of any assets resulting from any liquidation,
3 dissolution, or winding up of an Enterprise Fund, in whole
4 or in part, the President shall submit to the appropriate
5 congressional committees a plan for the distribution of the
6 assets of the Enterprise Fund.

7 (c) TRANSITION OR OPERATING PLAN.—Prior to a
8 transition to and operation of any private equity fund or
9 other parallel investment fund under an existing Enter-
10 prise Fund, the President shall submit such transition or
11 operating plan to the appropriate congressional commit-
12 tees.

13 RESCISSIONS

14 (INCLUDING RESCISSIONS OF FUNDS)

15 SEC. 7069. (a) ECONOMIC SUPPORT FUND.—

16 (1) Of the unobligated balances available under
17 the Economic Support Fund, identified by Treasury
18 Appropriation Fund Symbol 72 X 1037,
19 \$32,000,000 are rescinded.

20 (2) Of the unobligated and unexpended bal-
21 ances available to the President for bilateral eco-
22 nomic assistance under the heading “Economic Sup-
23 port Fund” from prior Acts making appropriations
24 for the Department of State, foreign operations, and

1 related programs, \$200,000,000 shall be deobligated,
2 as appropriate, and shall be rescinded.

3 (3) For the purposes of this subsection, no
4 amounts may be rescinded from amounts that were
5 designated by Congress as an emergency require-
6 ment or for Overseas Contingency Operations/Global
7 War on Terrorism pursuant to a concurrent resolu-
8 tion on the budget or the Balanced Budget and
9 Emergency Deficit Control Act of 1985.

10 (b) EMBASSY SECURITY, CONSTRUCTION, AND MAIN-
11 TENANCE.—Of the unobligated balances from amounts
12 available under the heading “Embassy Security, Construc-
13 tion, and Maintenance” in title II of the Security Assist-
14 ance Appropriations Act, 2017 (division B of Public Law
15 114–254), \$242,462,000 are rescinded: *Provided*, That
16 such funds that were previously designated by the Con-
17 gress for Overseas Contingency Operations/Global War on
18 Terrorism pursuant to section 251(b)(2)(A)(ii) of the Bal-
19 anced Budget and Emergency Deficit Control Act of 1985
20 are designated by the Congress for Overseas Contingency
21 Operations/Global War on Terrorism pursuant to section
22 251(b)(2)(A)(ii) of such Act.

23 (c) COMPLEX CRISES FUND.—Of the unobligated
24 balances from amounts made available under title VIII in
25 prior Acts making appropriations for the Department of

1 State, foreign operations, and related programs under the
2 heading “Complex Crises Fund”, \$40,000,000 are re-
3 scinded: *Provided*, That such funds that were previously
4 designated by the Congress for Overseas Contingency Op-
5 erations/Global War on Terrorism pursuant to section
6 251(b)(2)(A)(ii) of the Balanced Budget and Emergency
7 Deficit Control Act of 1985 are designated by the Con-
8 gress for Overseas Contingency Operations/Global War on
9 Terrorism pursuant to section 251(b)(2)(A)(ii) of such
10 Act.

11 (d) EXPORT-IMPORT BANK OF THE UNITED
12 STATES.—Of the unobligated balances available under the
13 heading “Export and Investment Assistance, Export-Im-
14 port Bank of the United States, Subsidy Appropriation”
15 for tied-aid grants from prior Acts making appropriations
16 for the Department of State, foreign operations, and re-
17 lated programs, \$64,282,000 are rescinded.

18 This division may be cited as the “Department of
19 State, Foreign Operations, and Related Programs Appro-
20 priations Act, 2020”.

1 **DIVISION H—TRANSPORTATION, HOUSING**
2 **AND URBAN DEVELOPMENT, AND RE-**
3 **LATED AGENCIES APPROPRIATIONS**
4 **ACT, 2020**

5 TITLE I

6 DEPARTMENT OF TRANSPORTATION

7 OFFICE OF THE SECRETARY

8 SALARIES AND EXPENSES

9 For necessary expenses of the Office of the Secretary,
10 \$115,490,000, of which not to exceed \$3,100,000 shall be
11 available for the immediate Office of the Secretary; not
12 to exceed \$1,000,000 shall be available for the immediate
13 Office of the Deputy Secretary; not to exceed \$21,000,000
14 shall be available for the Office of the General Counsel;
15 not to exceed \$10,500,000 shall be available for the Office
16 of the Under Secretary of Transportation for Policy; not
17 to exceed \$15,000,000 shall be available for the Office of
18 the Assistant Secretary for Budget and Programs; not to
19 exceed \$2,650,000 shall be available for the Office of the
20 Assistant Secretary for Governmental Affairs; not to ex-
21 ceed \$29,244,000 shall be available for the Office of the
22 Assistant Secretary for Administration; not to exceed
23 \$2,142,000 shall be available for the Office of Public Af-
24 fairs; not to exceed \$1,859,000 shall be available for the
25 Office of the Executive Secretariat; not to exceed

1 \$12,181,000 shall be available for the Office of Intel-
2 ligence, Security, and Emergency Response; and not to ex-
3 ceed \$16,814,000 shall be available for the Office of the
4 Chief Information Officer: *Provided*, That the Secretary
5 of Transportation is authorized to transfer funds appro-
6 priated for any office of the Office of the Secretary to any
7 other office of the Office of the Secretary: *Provided fur-*
8 *ther*, That no appropriation for any office shall be in-
9 creased or decreased by more than 7 percent by all such
10 transfers: *Provided further*, That notice of any change in
11 funding greater than 7 percent shall be submitted for ap-
12 proval to the House and Senate Committees on Appropria-
13 tions: *Provided further*, That not to exceed \$60,000 shall
14 be for allocation within the Department for official recep-
15 tion and representation expenses as the Secretary may de-
16 termine: *Provided further*, That notwithstanding any other
17 provision of law, excluding fees authorized in Public Law
18 107–71, there may be credited to this appropriation up
19 to \$2,500,000 in funds received in user fees: *Provided fur-*
20 *ther*, That none of the funds provided in this Act shall
21 be available for the position of Assistant Secretary for
22 Public Affairs.

23 RESEARCH AND TECHNOLOGY

24 For necessary expenses related to the Office of the
25 Assistant Secretary for Research and Technology,

1 \$21,000,000, of which \$14,218,000 shall remain available
2 until expended for (1) \$5,000,000 for new competitive
3 grants under section 5505 of title 49, United States Code,
4 for Tier I University Transportation Centers, (2)
5 \$1,000,000 for the establishment of an emergency plan-
6 ning transportation data initiative to conduct research and
7 develop models for data integration of geo-located weather
8 and roadways information for emergency and other severe
9 weather conditions to improve public safety and emer-
10 gency evacuation and response capabilities, (3)
11 \$1,000,000 for the Secretary of Transportation to enter
12 into an agreement with the National Academies of
13 Sciences, Engineering, and Medicine to conduct a study
14 through the Transportation Research Board on effective
15 ways to measure the resilience of transportation systems
16 and services to natural disasters, natural hazards, and
17 other potential disruptions, and (4) \$5,000,000 for the es-
18 tablishment of a Highly Automated Systems Safety Center
19 of Excellence as required in section 105 of this Act: *Pro-*
20 *vided*, That such amounts are in addition to amounts pre-
21 viously provided for Tier I University Transportation Cen-
22 ters: *Provided further*, That such amounts for additional
23 Tier I University Transportation Centers under this head-
24 ing are provided notwithstanding section 5505(c)(4)(A) of
25 title 49, United States Code: *Provided further*, That there

1 may be credited to this appropriation, to be available until
2 expended, funds received from States, counties, munic-
3 palities, other public authorities, and private sources for
4 expenses incurred for training: *Provided further*, That any
5 reference in law, regulation, judicial proceedings, or else-
6 where to the Research and Innovative Technology Admin-
7 istration shall continue to be deemed to be a reference to
8 the Office of the Assistant Secretary for Research and
9 Technology of the Department of Transportation.

10 NATIONAL INFRASTRUCTURE INVESTMENTS

11 For capital investments in surface transportation in-
12 frastructure, \$1,000,000,000, to remain available through
13 September 30, 2022: *Provided*, That the Secretary of
14 Transportation shall distribute funds provided under this
15 heading as discretionary grants to be awarded to a State,
16 local government, transit agency, port authority, or a col-
17 laboration among such entities on a competitive basis for
18 projects that will have a significant local or regional im-
19 pact: *Provided further*, That projects eligible for funding
20 provided under this heading shall include, but not be lim-
21 ited to, highway or bridge projects eligible under title 23,
22 United States Code; public transportation projects eligible
23 under chapter 53 of title 49, United States Code; pas-
24 senger and freight rail transportation projects; port infra-
25 structure investments (including inland port infrastruc-

1 ture and land ports of entry); and projects investing in
2 surface transportation facilities that are located on tribal
3 land and for which title or maintenance responsibility is
4 vested in the Federal Government: *Provided further*, That
5 of the amount made available under this heading, the Sec-
6 retary shall use an amount not less than \$15,000,000 for
7 the planning, preparation or design of projects eligible for
8 funding under this heading: *Provided further*, That grants
9 awarded under the previous proviso shall not be subject
10 to a minimum grant size: *Provided further*, That the Sec-
11 retary may use up to 20 percent of the funds made avail-
12 able under this heading for the purpose of paying the sub-
13 sidy and administrative costs of projects eligible for Fed-
14 eral credit assistance under chapter 6 of title 23, United
15 States Code, or sections 501 through 504 of the Railroad
16 Revitalization and Regulatory Reform Act of 1976 (Public
17 Law 94–210), as amended, if the Secretary finds that
18 such use of the funds would advance the purposes of this
19 paragraph: *Provided further*, That in distributing funds
20 provided under this heading, the Secretary shall take such
21 measures so as to ensure an equitable geographic distribu-
22 tion of funds, an appropriate balance in addressing the
23 needs of urban and rural areas, and the investment in a
24 variety of transportation modes: *Provided further*, That a
25 grant funded under this heading shall be not less than

1 \$5,000,000 and not greater than \$25,000,000: *Provided*
2 *further*, That not more than 10 percent of the funds made
3 available under this heading may be awarded to projects
4 in a single State: *Provided further*, That the Federal share
5 of the costs for which an expenditure is made under this
6 heading shall be, at the option of the recipient, up to 80
7 percent: *Provided further*, That the Secretary shall give
8 priority to projects that require a contribution of Federal
9 funds in order to complete an overall financing package:
10 *Provided further*, That an award under this heading is an
11 urban award if it is to a project located within or on the
12 boundary of an Urbanized Area (UA), as designated by
13 the U.S. Census Bureau, that had a population greater
14 than 200,000 in the 2010 Census: *Provided further*, That
15 for the purpose of determining if an award for planning,
16 preparation or design is an urban award, the project loca-
17 tion is the location of the project being planned, prepared
18 or designed: *Provided further*, That each award under this
19 heading that is not an urban award is a rural award: *Pro-*
20 *vided further*, That of the funds awarded under this head-
21 ing, not more than 50 percent shall be awarded as urban
22 awards and rural awards, respectively: *Provided further*,
23 That for rural awards, the minimum grant size shall be
24 \$1,000,000 and the Secretary may increase the Federal
25 share of costs above 80 percent: *Provided further*, That

1 projects conducted using funds provided under this head-
2 ing must comply with the requirements of subchapter IV
3 of chapter 31 of title 40, United States Code: *Provided*
4 *further*, That the Secretary shall conduct a new competi-
5 tion to select the grants and credit assistance awarded
6 under this heading: *Provided further*, That the Secretary
7 may retain up to \$25,000,000 of the funds provided under
8 this heading, and may transfer portions of those funds to
9 the Administrators of the Federal Highway Administra-
10 tion, the Federal Transit Administration, the Federal
11 Railroad Administration, and the Maritime Administra-
12 tion to fund the award and oversight of grants and credit
13 assistance made under the National Infrastructure Invest-
14 ments program: *Provided further*, That none of the funds
15 provided in the previous proviso may be used to hire addi-
16 tional personnel: *Provided further*, That the Secretary
17 shall consider and award projects based solely on the selec-
18 tion criteria from the fiscal year 2017 Notice of Funding
19 Opportunity: *Provided further*, That, notwithstanding the
20 previous proviso, the Secretary shall not use the Federal
21 share or an applicant's ability to generate non-Federal
22 revenue as a selection criteria in awarding projects: *Pro-*
23 *vided further*, That the Secretary shall issue the Notice
24 of Funding Opportunity no later than 60 days after enact-
25 ment of this Act: *Provided further*, That such Notice of

1 Funding Opportunity shall require application submis-
2 sions 90 days after the publishing of such Notice: *Provided*
3 *further*, That of the applications submitted under the pre-
4 vious two provisos, the Secretary shall make grants no
5 later than 270 days after enactment of this Act in such
6 amounts that the Secretary determines: *Provided further*,
7 That such sums provided for national infrastructure in-
8 vestments for multimodal safety projects under title VIII
9 of division F of the Consolidated and Further Continuing
10 Appropriations Act, 2013 (Public Law 113–6; 127 Stat.
11 423) shall remain available through fiscal year 2024 for
12 the liquidation of valid obligations of active grants award-
13 ed with this funding: *Provided further*, That the preceding
14 proviso shall be applied as if it were in effect on September
15 30, 2019.

16 NATIONAL SURFACE TRANSPORTATION AND INNOVATIVE
17 FINANCE BUREAU

18 For necessary expenses of the National Surface
19 Transportation and Innovative Finance Bureau as author-
20 ized by 49 U.S.C. 116, \$5,000,000, to remain available
21 until expended: *Provided*, That the Secretary shall notify
22 the House and Senate Committees on Appropriations no
23 less than 15 days prior to exercising the transfer authority
24 granted under section 116(h) of title 49, United States
25 Code.

1 FINANCIAL MANAGEMENT CAPITAL

2 For necessary expenses for upgrading and enhancing
3 the Department of Transportation's financial systems and
4 re-engineering business processes, \$2,000,000, to remain
5 available through September 30, 2021.

6 CYBER SECURITY INITIATIVES

7 For necessary expenses for cyber security initiatives,
8 including necessary upgrades to wide area network and
9 information technology infrastructure, improvement of
10 network perimeter controls and identity management,
11 testing and assessment of information technology against
12 business, security, and other requirements, implementa-
13 tion of Federal cyber security initiatives and information
14 infrastructure enhancements, and implementation of en-
15 hanced security controls on network devices, \$15,000,000,
16 to remain available through September 30, 2021.

17 OFFICE OF CIVIL RIGHTS

18 For necessary expenses of the Office of Civil Rights,
19 \$9,470,000.

20 TRANSPORTATION PLANNING, RESEARCH, AND

21 DEVELOPMENT

22 For necessary expenses for conducting transportation
23 planning, research, systems development, development ac-
24 tivities, and making grants, \$10,879,000, to remain avail-
25 able until expended: *Provided*, That of such amount,

1 \$1,000,000 shall be for necessary expenses of the Inter-
2 agency Infrastructure Permitting Improvement Center
3 (IIPIC): *Provided further*, That there may be transferred
4 to this appropriation, to remain available until expended,
5 amounts transferred from other Federal agencies for ex-
6 penses incurred under this heading for IIPIC activities not
7 related to transportation infrastructure: *Provided further*,
8 That the tools and analysis developed by the IIPIC shall
9 be available to other Federal agencies for the permitting
10 and review of major infrastructure projects not related to
11 transportation only to the extent that other Federal agen-
12 cies provide funding to the Department as provided for
13 under the previous proviso.

14 WORKING CAPITAL FUND

15 For necessary expenses for operating costs and cap-
16 ital outlays of the Working Capital Fund, not to exceed
17 \$319,793,000, shall be paid from appropriations made
18 available to the Department of Transportation: *Provided*,
19 That such services shall be provided on a competitive basis
20 to entities within the Department of Transportation: *Pro-*
21 *vided further*, That the above limitation on operating ex-
22 penses shall not apply to non-DOT entities: *Provided fur-*
23 *ther*, That no funds appropriated in this Act to an agency
24 of the Department shall be transferred to the Working
25 Capital Fund without majority approval of the Working

1 Capital Fund Steering Committee and approval of the
2 Secretary: *Provided further*, That no assessments may be
3 levied against any program, budget activity, subactivity or
4 project funded by this Act unless notice of such assess-
5 ments and the basis therefor are presented to the House
6 and Senate Committees on Appropriations and are ap-
7 proved by such Committees.

8 SMALL AND DISADVANTAGED BUSINESS UTILIZATION AND
9 OUTREACH

10 For necessary expenses for small and disadvantaged
11 business utilization and outreach activities, \$4,646,000, to
12 remain available until September 30, 2021: *Provided*,
13 That notwithstanding 49 U.S.C. 332, these funds may be
14 used for business opportunities related to any mode of
15 transportation: *Provided further*, That appropriations
16 made available under this heading shall be available for
17 any purpose consistent with prior year appropriations that
18 were made available under the heading “Minority Busi-
19 ness Resource Center Program”.

20 PAYMENTS TO AIR CARRIERS

21 (AIRPORT AND AIRWAY TRUST FUND)

22 In addition to funds made available from any other
23 source to carry out the essential air service program under
24 49 U.S.C. 41731 through 41742, \$162,000,000, to be de-
25 rived from the Airport and Airway Trust Fund, to remain

1 available until expended: *Provided*, That in determining
2 between or among carriers competing to provide service
3 to a community, the Secretary may consider the relative
4 subsidy requirements of the carriers: *Provided further*,
5 That basic essential air service minimum requirements
6 shall not include the 15-passenger capacity requirement
7 under section 41732(b)(3) of title 49, United States Code:
8 *Provided further*, That none of the funds in this Act or
9 any other Act shall be used to enter into a new contract
10 with a community located less than 40 miles from the
11 nearest small hub airport before the Secretary has nego-
12 tiated with the community over a local cost share: *Pro-*
13 *vided further*, That amounts authorized to be distributed
14 for the essential air service program under section
15 41742(b) of title 49, United States Code, shall be made
16 available immediately from amounts otherwise provided to
17 the Administrator of the Federal Aviation Administration:
18 *Provided further*, That the Administrator may reimburse
19 such amounts from fees credited to the account estab-
20 lished under section 45303 of title 49, United States Code.

21 ADMINISTRATIVE PROVISIONS—OFFICE OF THE

22 SECRETARY OF TRANSPORTATION

23 SEC. 101. None of the funds made available in this
24 Act to the Department of Transportation may be obligated
25 for the Office of the Secretary of Transportation to ap-

1 prove assessments or reimbursable agreements pertaining
2 to funds appropriated to the modal administrations in this
3 Act, except for activities underway on the date of enact-
4 ment of this Act, unless such assessments or agreements
5 have completed the normal reprogramming process for
6 Congressional notification.

7 SEC. 102. The Secretary shall post on the Web site
8 of the Department of Transportation a schedule of all
9 meetings of the Council on Credit and Finance, including
10 the agenda for each meeting, and require the Council on
11 Credit and Finance to record the decisions and actions
12 of each meeting.

13 SEC. 103. In addition to authority provided by section
14 327 of title 49, United States Code, the Department's
15 Working Capital Fund is hereby authorized to provide
16 partial or full payments in advance and accept subsequent
17 reimbursements from all Federal agencies from available
18 funds for transit benefit distribution services that are nec-
19 essary to carry out the Federal transit pass transportation
20 fringe benefit program under Executive Order No. 13150
21 and section 3049 of Public Law 109–59: *Provided*, That
22 the Department shall maintain a reasonable operating re-
23 serve in the Working Capital Fund, to be expended in ad-
24 vance to provide uninterrupted transit benefits to Govern-
25 ment employees: *Provided further*, That such reserve will

1 not exceed one month of benefits payable and may be used
2 only for the purpose of providing for the continuation of
3 transit benefits: *Provided further*, That the Working Cap-
4 ital Fund will be fully reimbursed by each customer agen-
5 cy from available funds for the actual cost of the transit
6 benefit.

7 SEC. 104. No later than May 1, 2020, the Secretary
8 shall announce the selection of all projects to receive
9 awards for all competitive grants provided in Public Law
10 116–6 under the headings: “Federal Railroad Administra-
11 tion—Federal–State Partnership for State of Good Re-
12 pair”, “Federal Railroad Administration—Consolidated
13 Rail Infrastructure and Safety Improvements”, “Federal
14 Railroad Administration—Restoration and Enhance-
15 ment”, “Federal Railroad Administration—Magnetic
16 Levitation Technology Deployment Program”, and “Mari-
17 time Administration—Port Infrastructure Development
18 Program”.

19 SEC. 105. (a) The Secretary shall establish a Highly
20 Automated Systems Safety Center of Excellence within
21 the Department of Transportation, in order to have a De-
22 partment of Transportation workforce capable of review-
23 ing, assessing, and validating the safety of automated
24 technologies.

1 (b) The Highly Automated Systems Safety Center of
2 Excellence shall—

3 (1) serve as a central location within the De-
4 partment of Transportation for expertise in automa-
5 tion and human factors, computer science, data ana-
6 lytics, machine learning, sensors, and other tech-
7 nologies involving automated systems;

8 (2) collaborate with and provide support on
9 highly automated systems to all Operating Adminis-
10 trations of the Department of Transportation; and

11 (3) have a workforce composed of Department
12 of Transportation employees, including direct hires
13 or detailees from Operating Administrations of the
14 Department of Transportation and other Federal
15 agencies.

16 (c) Employees of the Highly Automated Systems
17 Safety Center of Excellence, in conjunction with the rel-
18 evant Operating Administrations of the Department of
19 Transportation, shall review, assess, and validate highly
20 automated systems to ensure their safety.

21 (d) The Highly Automated Systems Safety Center of
22 Excellence shall not supersede laws or regulations grant-
23 ing certification authorities to Operating Administrations
24 of the Department of Transportation.

1 (e) No later than 90 days after the date of enactment
2 of this Act, the Secretary shall report to the Committees
3 on Appropriations of the House of Representatives and the
4 Senate on staffing needs and the staffing plan for the
5 Highly Automated Systems Safety Center of Excellence.

6 SEC. 106. None of the funds made available by this
7 Act shall be used to terminate the Intelligent Transpor-
8 tation System Program Advisory Committee established
9 under section 5305(h) of SAFETEA-LU (23 U.S.C. 512
10 note; Public Law 109–59).

11 FEDERAL AVIATION ADMINISTRATION

12 OPERATIONS

13 (AIRPORT AND AIRWAY TRUST FUND)

14 For necessary expenses of the Federal Aviation Ad-
15 ministration, not otherwise provided for, including oper-
16 ations and research activities related to commercial space
17 transportation, administrative expenses for research and
18 development, establishment of air navigation facilities, the
19 operation (including leasing) and maintenance of aircraft,
20 subsidizing the cost of aeronautical charts and maps sold
21 to the public, the lease or purchase of passenger motor
22 vehicles for replacement only, \$10,630,000,000, to remain
23 available until September 30, 2021, of which
24 \$10,519,000,000 shall be derived from the Airport and

1 Airway Trust Fund: *Provided*, That of the sums appro-
2 priated under this heading—

3 (1) not less than \$1,404,096,000 shall be avail-
4 able for aviation safety activities;

5 (2) \$7,970,734,000 shall be available for air
6 traffic organization activities;

7 (3) \$26,040,000 shall be available for commer-
8 cial space transportation activities;

9 (4) \$800,646,000 shall be available for finance
10 and management activities;

11 (5) \$61,538,000 shall be available for NextGen
12 and operations planning activities;

13 (6) \$118,642,000 shall be available for security
14 and hazardous materials safety; and

15 (7) \$248,304,000 shall be available for staff of-
16 fices:

17 *Provided further*, That not to exceed 5 percent of any
18 budget activity, except for aviation safety budget activity,
19 may be transferred to any budget activity under this head-
20 ing: *Provided further*, That no transfer may increase or
21 decrease any appropriation by more than 5 percent: *Pro-*
22 *vided further*, That any transfer in excess of 5 percent
23 shall be treated as a reprogramming of funds under sec-
24 tion 405 of this Act and shall not be available for obliga-
25 tion or expenditure except in compliance with the proce-

1 dures set forth in that section: *Provided further*, That not
2 later than 60 days after the submission of the budget re-
3 quest, the Administrator of the Federal Aviation Adminis-
4 tration shall transmit to Congress an annual update to
5 the report submitted to Congress in December 2004 pur-
6 suant to section 221 of Public Law 108–176: *Provided fur-*
7 *ther*, That the amount herein appropriated shall be re-
8 duced by \$100,000 for each day after the date that is 60
9 days after the submission of the budget request that such
10 report has not been submitted to the Congress: *Provided*
11 *further*, That not later than 60 days after the submission
12 of the budget request, the Administrator shall transmit
13 to Congress a companion report that describes a com-
14 prehensive strategy for staffing, hiring, and training flight
15 standards and aircraft certification staff in a format simi-
16 lar to the one utilized for the controller staffing plan, in-
17 cluding stated attrition estimates and numerical hiring
18 goals by fiscal year: *Provided further*, That the amount
19 herein appropriated shall be reduced by \$100,000 per day
20 for each day after the date that is 60 days after the sub-
21 mission of the budget request that such report has not
22 been submitted to Congress: *Provided further*, That funds
23 may be used to enter into a grant agreement with a non-
24 profit standard-setting organization to assist in the devel-
25 opment of aviation safety standards: *Provided further*,

1 That none of the funds in this Act shall be available for
2 new applicants for the second career training program:
3 *Provided further*, That none of the funds in this Act shall
4 be available for the Federal Aviation Administration to fi-
5 nalize or implement any regulation that would promulgate
6 new aviation user fees not specifically authorized by law
7 after the date of the enactment of this Act: *Provided fur-*
8 *ther*, That there may be credited to this appropriation, as
9 offsetting collections, funds received from States, counties,
10 municipalities, foreign authorities, other public authori-
11 ties, and private sources for expenses incurred in the pro-
12 vision of agency services, including receipts for the mainte-
13 nance and operation of air navigation facilities, and for
14 issuance, renewal or modification of certificates, including
15 airman, aircraft, and repair station certificates, or for
16 tests related thereto, or for processing major repair or al-
17 teration forms: *Provided further*, That of the funds appro-
18 priated under this heading, not less than \$170,000,000
19 shall be used to fund direct operations of the current air
20 traffic control towers in the contract tower program, in-
21 cluding the contract tower cost share program, and any
22 airport that is currently qualified or that will qualify for
23 the program during the fiscal year: *Provided further*, That
24 none of the funds in this Act for aeronautical charting
25 and cartography are available for activities conducted by,

1 or coordinated through, the Working Capital Fund: *Pro-*
2 *vided further*, That none of the funds appropriated or oth-
3 erwise made available by this Act or any other Act may
4 be used to eliminate the Contract Weather Observers pro-
5 gram at any airport.

6 FACILITIES AND EQUIPMENT

7 (AIRPORT AND AIRWAY TRUST FUND)

8 For necessary expenses, not otherwise provided for,
9 for acquisition, establishment, technical support services,
10 improvement by contract or purchase, and hire of national
11 airspace systems and experimental facilities and equip-
12 ment, as authorized under part A of subtitle VII of title
13 49, United States Code, including initial acquisition of
14 necessary sites by lease or grant; engineering and service
15 testing, including construction of test facilities and acqui-
16 sition of necessary sites by lease or grant; construction
17 and furnishing of quarters and related accommodations
18 for officers and employees of the Federal Aviation Admin-
19 istration stationed at remote localities where such accom-
20 modations are not available; and the purchase, lease, or
21 transfer of aircraft from funds available under this head-
22 ing, including aircraft for aviation regulation and certifi-
23 cation; to be derived from the Airport and Airway Trust
24 Fund, \$3,045,000,000, of which \$515,000,000 shall re-
25 main available until September 30, 2021, \$2,409,473,000

1 shall remain available until September 30, 2022, and
2 \$120,527,000 shall remain available until expended: *Pro-*
3 *vided*, That there may be credited to this appropriation
4 funds received from States, counties, municipalities, other
5 public authorities, and private sources, for expenses in-
6 curred in the establishment, improvement, and moderniza-
7 tion of national airspace systems: *Provided further*, That
8 not later than 60 days after submission of the budget re-
9 quest, the Secretary of Transportation shall transmit to
10 the Congress an investment plan for the Federal Aviation
11 Administration which includes funding for each budget
12 line item for fiscal years 2021 through 2025, with total
13 funding for each year of the plan constrained to the fund-
14 ing targets for those years as estimated and approved by
15 the Office of Management and Budget.

16 RESEARCH, ENGINEERING, AND DEVELOPMENT

17 (AIRPORT AND AIRWAY TRUST FUND)

18 For necessary expenses, not otherwise provided for,
19 for research, engineering, and development, as authorized
20 under part A of subtitle VII of title 49, United States
21 Code, including construction of experimental facilities and
22 acquisition of necessary sites by lease or grant,
23 \$192,665,000, to be derived from the Airport and Airway
24 Trust Fund and to remain available until September 30,
25 2022: *Provided*, That there may be credited to this appro-

1 priation as offsetting collections, funds received from
2 States, counties, municipalities, other public authorities,
3 and private sources, which shall be available for expenses
4 incurred for research, engineering, and development: *Pro-*
5 *vided further*, That funds made available under this head-
6 ing shall be used in accordance with the explanatory state-
7 ment described in section 4 (in the matter preceding divi-
8 sion A of this consolidated Act): *Provided further*, That
9 not to exceed 10 percent of any funding level specified
10 under this heading in the explanatory statement described
11 in section 4 (in the matter preceding division A of this
12 consolidated Act) may be transferred to any other funding
13 level specified under this heading in the explanatory state-
14 ment described in section 4 (in the matter preceding divi-
15 sion A of this consolidated Act): *Provided further*, That
16 no transfer may increase or decrease any funding level by
17 more than 10 percent: *Provided further*, That any transfer
18 in excess of 10 percent shall be treated as a reprogram-
19 ming of funds under section 405 of this Act and shall not
20 be available for obligation or expenditure except in compli-
21 ance with the procedures set forth in that section.

1 GRANTS-IN-AID FOR AIRPORTS
2 (LIQUIDATION OF CONTRACT AUTHORIZATION)
3 (LIMITATION ON OBLIGATIONS)
4 (AIRPORT AND AIRWAY TRUST FUND)
5 (INCLUDING TRANSFER OF FUNDS)

6 For liquidation of obligations incurred for grants-in-
7 aid for airport planning and development, and noise com-
8 patibility planning and programs as authorized under sub-
9 chapter I of chapter 471 and subchapter I of chapter 475
10 of title 49, United States Code, and under other law au-
11 thorizing such obligations; for procurement, installation,
12 and commissioning of runway incursion prevention devices
13 and systems at airports of such title; for grants authorized
14 under section 41743 of title 49, United States Code; and
15 for inspection activities and administration of airport safe-
16 ty programs, including those related to airport operating
17 certificates under section 44706 of title 49, United States
18 Code, \$3,000,000,000, to be derived from the Airport and
19 Airway Trust Fund and to remain available until ex-
20 pended: *Provided*, That none of the funds under this head-
21 ing shall be available for the planning or execution of pro-
22 grams the obligations for which are in excess of
23 \$3,350,000,000 in fiscal year 2020, notwithstanding sec-
24 tion 47117(g) of title 49, United States Code: *Provided*
25 *further*, That none of the funds under this heading shall

1 be available for the replacement of baggage conveyor sys-
2 tems, reconfiguration of terminal baggage areas, or other
3 airport improvements that are necessary to install bulk ex-
4 plosive detection systems: *Provided further*, That notwith-
5 standing section 47109(a) of title 49, United States Code,
6 the Government's share of allowable project costs under
7 paragraph (2) for subgrants or paragraph (3) of that sec-
8 tion shall be 95 percent for a project at other than a large
9 or medium hub airport that is a successive phase of a
10 multi-phased construction project for which the project
11 sponsor received a grant in fiscal year 2011 for the con-
12 struction project: *Provided further*, That notwithstanding
13 any other provision of law, of funds limited under this
14 heading, not more than \$116,500,000 shall be available
15 for administration, not less than \$15,000,000 shall be
16 available for the Airport Cooperative Research Program,
17 not less than \$39,224,000 shall be available for Airport
18 Technology Research, and \$10,000,000, to remain avail-
19 able until expended, shall be available and transferred to
20 "Office of the Secretary, Salaries and Expenses" to carry
21 out the Small Community Air Service Development Pro-
22 gram: *Provided further*, That in addition to airports eligi-
23 ble under section 41743 of title 49, United States Code,
24 such program may include the participation of an airport
25 that serves a community or consortium that is not larger

1 than a small hub airport, according to FAA hub classifica-
2 tions effective at the time the Office of the Secretary
3 issues a request for proposals.

4 GRANTS-IN-AID FOR AIRPORTS

5 For an additional amount for “Grants-In-Aid for Air-
6 ports”, to enable the Secretary of Transportation to make
7 grants for projects as authorized by subchapter 1 of chap-
8 ter 471 and subchapter 1 of chapter 475 of title 49,
9 United States Code, \$400,000,000, to remain available
10 through September 30, 2022: *Provided*, That amounts
11 made available under this heading shall be derived from
12 the general fund, and such funds shall not be subject to
13 apportionment formulas, special apportionment categories,
14 or minimum percentages under chapter 471: *Provided fur-*
15 *ther*, That the Secretary shall distribute funds provided
16 under this heading as discretionary grants to airports:
17 *Provided further*, That the amount made available under
18 this heading shall not be subject to any limitation on obli-
19 gations for the Grants-in-Aid for Airports program set
20 forth in any Act: *Provided further*, That the Administrator
21 of the Federal Aviation Administration may retain up to
22 0.5 percent of the funds provided under this heading to
23 fund the award and oversight by the Administrator of
24 grants made under this heading.

1 ADMINISTRATIVE PROVISIONS—FEDERAL AVIATION

2 ADMINISTRATION

3 SEC. 110. None of the funds in this Act may be used
4 to compensate in excess of 600 technical staff-years under
5 the federally funded research and development center con-
6 tract between the Federal Aviation Administration and the
7 Center for Advanced Aviation Systems Development dur-
8 ing fiscal year 2020.

9 SEC. 111. None of the funds in this Act shall be used
10 to pursue or adopt guidelines or regulations requiring air-
11 port sponsors to provide to the Federal Aviation Adminis-
12 tration without cost building construction, maintenance,
13 utilities and expenses, or space in airport sponsor-owned
14 buildings for services relating to air traffic control, air
15 navigation, or weather reporting: *Provided*, That the pro-
16 hibition of funds in this section does not apply to negotia-
17 tions between the agency and airport sponsors to achieve
18 agreement on “below-market” rates for these items or to
19 grant assurances that require airport sponsors to provide
20 land without cost to the Federal Aviation Administration
21 for air traffic control facilities.

22 SEC. 112. The Administrator of the Federal Aviation
23 Administration may reimburse amounts made available to
24 satisfy 49 U.S.C. 41742(a)(1) from fees credited under
25 49 U.S.C. 45303 and any amount remaining in such ac-

1 count at the close of that fiscal year may be made available
2 to satisfy section 41742(a)(1) for the subsequent fiscal
3 year.

4 SEC. 113. Amounts collected under section 40113(e)
5 of title 49, United States Code, shall be credited to the
6 appropriation current at the time of collection, to be
7 merged with and available for the same purposes of such
8 appropriation.

9 SEC. 114. None of the funds in this Act shall be avail-
10 able for paying premium pay under subsection 5546(a) of
11 title 5, United States Code, to any Federal Aviation Ad-
12 ministration employee unless such employee actually per-
13 formed work during the time corresponding to such pre-
14 mium pay.

15 SEC. 115. None of the funds in this Act may be obli-
16 gated or expended for an employee of the Federal Aviation
17 Administration to purchase a store gift card or gift certifi-
18 cate through use of a Government-issued credit card.

19 SEC. 116. None of the funds in this Act may be obli-
20 gated or expended for retention bonuses for an employee
21 of the Federal Aviation Administration without the prior
22 written approval of the Assistant Secretary for Adminis-
23 tration of the Department of Transportation.

24 SEC. 117. Notwithstanding any other provision of
25 law, none of the funds made available under this Act or

1 any prior Act may be used to implement or to continue
2 to implement any limitation on the ability of any owner
3 or operator of a private aircraft to obtain, upon a request
4 to the Administrator of the Federal Aviation Administra-
5 tion, a blocking of that owner's or operator's aircraft reg-
6 istration number from any display of the Federal Aviation
7 Administration's Aircraft Situational Display to Industry
8 data that is made available to the public, except data made
9 available to a Government agency, for the noncommercial
10 flights of that owner or operator.

11 SEC. 118. None of the funds in this Act shall be avail-
12 able for salaries and expenses of more than nine political
13 and Presidential appointees in the Federal Aviation Ad-
14 ministration.

15 SEC. 119. None of the funds made available under
16 this Act may be used to increase fees pursuant to section
17 44721 of title 49, United States Code, until the Federal
18 Aviation Administration provides to the House and Senate
19 Committees on Appropriations a report that justifies all
20 fees related to aeronautical navigation products and ex-
21 plains how such fees are consistent with Executive Order
22 No. 13642.

23 SEC. 119A. None of the funds in this Act may be
24 used to close a regional operations center of the Federal
25 Aviation Administration or reduce its services unless the

1 Administrator notifies the House and Senate Committees
2 on Appropriations not less than 90 full business days in
3 advance.

4 SEC. 119B. None of the funds appropriated or lim-
5 ited by this Act may be used to change weight restrictions
6 or prior permission rules at Teterboro airport in
7 Teterboro, New Jersey.

8 SEC. 119C. None of the funds provided under this
9 Act may be used by the Administrator of the Federal Avia-
10 tion Administration to withhold from consideration and
11 approval any new application for participation in the Con-
12 tract Tower Program, or for reevaluation of Cost-share
13 Program participants as long as the Federal Aviation Ad-
14 ministration has received an application from the airport,
15 and as long as the Administrator determines such tower
16 is eligible using the factors set forth in Federal Aviation
17 Administration published establishment criteria.

18 SEC. 119D. None of the funds made available by this
19 Act may be used to open, close, redesignate as a lesser
20 office, or reorganize a regional office, the aeronautical cen-
21 ter, or technical center unless the Administrator submits
22 a request for the reprogramming of funds under section
23 405 of this Act.

1 FEDERAL HIGHWAY ADMINISTRATION
2 LIMITATION ON ADMINISTRATIVE EXPENSES
3 (HIGHWAY TRUST FUND)
4 (INCLUDING TRANSFER OF FUNDS)

5 Not to exceed \$453,549,689, together with advances
6 and reimbursements received by the Federal Highway Ad-
7 ministration, shall be obligated for necessary expenses for
8 administration and operation of the Federal Highway Ad-
9 ministration. In addition, \$3,248,000 shall be transferred
10 to the Appalachian Regional Commission in accordance
11 with section 104(a) of title 23, United States Code.

12 FEDERAL-AID HIGHWAYS
13 (LIMITATION ON OBLIGATIONS)
14 (HIGHWAY TRUST FUND)

15 Funds available for the implementation or execution
16 of Federal-aid highway and highway safety construction
17 programs authorized under titles 23 and 49, United States
18 Code, and the provisions of the Fixing America's Surface
19 Transportation (FAST) Act (Public Law 114–94) shall
20 not exceed total obligations of \$46,365,092,000 for fiscal
21 year 2020: *Provided*, That the Secretary may collect and
22 spend fees, as authorized by title 23, United States Code,
23 to cover the costs of services of expert firms, including
24 counsel, in the field of municipal and project finance to
25 assist in the underwriting and servicing of Federal credit

1 instruments and all or a portion of the costs to the Federal
2 Government of servicing such credit instruments: *Provided*
3 *further*, That such fees are available until expended to pay
4 for such costs: *Provided further*, That such amounts are
5 in addition to administrative expenses that are also avail-
6 able for such purpose, and are not subject to any obliga-
7 tion limitation or the limitation on administrative expenses
8 under section 608 of title 23, United States Code.

9 (LIQUIDATION OF CONTRACT AUTHORIZATION)

10 (HIGHWAY TRUST FUND)

11 For the payment of obligations incurred in carrying
12 out Federal-aid highway and highway safety construction
13 programs authorized under title 23, United States Code,
14 \$47,104,092,000 derived from the Highway Trust Fund
15 (other than the Mass Transit Account), to remain avail-
16 able until expended.

17 HIGHWAY INFRASTRUCTURE PROGRAMS

18 There is hereby appropriated to the Secretary of
19 Transportation \$2,166,140,392: *Provided*, That the funds
20 made available under this heading shall be derived from
21 the general fund, shall be in addition to any funds pro-
22 vided for fiscal year 2020 in this or any other Act for:
23 (1) “Federal-aid Highways” under chapter 1 of title 23,
24 United States Code; or (2) the Appalachian Development
25 Highway System as authorized under section 1069(y) of

1 Public Law 102–240, and shall not affect the distribution
2 or amount of funds provided in any other Act: *Provided*
3 *further*, That section 1101(b) of Public Law 114–94 shall
4 apply to funds made available under this heading: *Pro-*
5 *vided further*, That of the funds made available under this
6 heading—

7 (1) \$781,140,392 shall be for activities eligible
8 under sections 133(b)(1) and 133(b)(4) of title 23,
9 United States Code, and to provide necessary charg-
10 ing infrastructure along corridor-ready or corridor-
11 pending alternative fuel corridors designated pursu-
12 ant to section 151 of title 23, United States Code;

13 (2) \$1,150,000,000 shall be for a bridge re-
14 placement and rehabilitation program;

15 (3) \$100,000,000 shall be for necessary ex-
16 penses for construction of the Appalachian Develop-
17 ment Highway System as authorized under section
18 1069(y) of Public Law 102–240;

19 (4) \$3,500,000 shall be for activities eligible
20 under the Puerto Rico Highway Program as de-
21 scribed in section 165(b)(2)(C) of title 23, United
22 States Code;

23 (5) \$1,500,000 shall be for activities eligible
24 under the Territorial Highway Program, as de-

1 scribed in section 165(e)(6) of title 23, United
2 States Code;

3 (6) \$70,000,000 shall be for the nationally sig-
4 nificant Federal lands and tribal projects program
5 under section 1123 of the FAST Act;

6 (7) \$50,000,000 shall be for competitive grants
7 for activities described in section 130(a) of title 23,
8 United States Code;

9 (8) \$5,000,000 shall be for the Regional Infra-
10 structure Accelerator Demonstration Program au-
11 thorized under section 1441 of the FAST Act; and

12 (9) \$5,000,000 shall be for a National Road
13 Network Pilot Program for the Federal Highway
14 Administration to create a national level, geo-spatial
15 dataset that uses data already collected under the
16 Highway Performance Monitoring System:

17 *Provided further*, That for the purposes of funds made
18 available under this heading for activities eligible under
19 sections 133(b)(1) and 133(b)(4) of title 23, United States
20 Code, and to provide necessary charging infrastructure
21 along corridor-ready or corridor-pending alternative fuel
22 corridors designated pursuant to section 151 of title 23,
23 United States Code, the term “State” means any of the
24 50 States or the District of Columbia: *Provided further*,
25 That the funds made available under this heading for ac-

1 tivities eligible under sections 133(b)(1) and 133(b)(4) of
2 title 23, United States Code, and to provide necessary
3 charging infrastructure along corridor-ready or corridor-
4 pending alternative fuel corridors designated pursuant to
5 section 151 of title 23, United States Code, shall be sub-
6 allocated in the manner described in section 133(d) of
7 such title, except that the set-aside described in section
8 133(h) of such title shall not apply to funds made avail-
9 able under this heading: *Provided further*, That the funds
10 made available under this heading for activities eligible
11 under sections 133(b)(1) and 133(b)(4) of title 23, United
12 States Code, and to provide necessary charging infrastruc-
13 ture along corridor-ready or corridor-pending alternative
14 fuel corridors designated pursuant to section 151 of title
15 23, United States Code, shall be administered as if appor-
16 tioned under chapter 1 of such title and shall remain avail-
17 able through September 30, 2023: *Provided further*, That
18 the funds made available under this heading for activities
19 eligible under sections 133(b)(1) and 133(b)(4) of title 23,
20 United States Code, and to provide necessary charging in-
21 frastructure along corridor-ready or corridor-pending al-
22 ternative fuel corridors designated pursuant to section 151
23 of title 23, United States Code, shall be apportioned to
24 the States in the same ratio as the obligation limitation
25 for fiscal year 2020 is distributed among the States in

1 section 120(a)(5) of this Act: *Provided further*, That, ex-
2 cept as provided in the following proviso, the funds made
3 available under this heading for activities eligible under
4 the Puerto Rico Highway Program and activities eligible
5 under the Territorial Highway Program shall be adminis-
6 tered as if allocated under sections 165(b) and 165(c), re-
7 spectively, of title 23, United States Code, and shall re-
8 main available through September 30, 2023: *Provided fur-*
9 *ther*, That the funds made available under this heading
10 for activities eligible under the Puerto Rico Highway Pro-
11 gram shall not be subject to the requirements of sections
12 165(b)(2)(A) or 165(b)(2)(B) of such title: *Provided fur-*
13 *ther*, That the funds made available under this heading
14 for the nationally significant Federal lands and tribal
15 projects program under section 1123 of the FAST Act
16 shall remain available through September 30, 2023: *Pro-*
17 *vided further*, That for the purposes of funds made avail-
18 able under this heading for a bridge replacement and reha-
19 bilitation program, (1) the term “State” means any of the
20 50 States or the District of Columbia, and (2) the term
21 “qualifying State” means any State in which the percent-
22 age of total deck area of bridges classified as in poor con-
23 dition in such State is at least 5 percent: *Provided further*,
24 That, of the funds made available under this heading for
25 a bridge replacement and rehabilitation program, the Sec-

1 retary shall reserve \$6,000,000 for each State that does
2 not meet the definition of a qualifying State: *Provided fur-*
3 *ther*, That, after making the reservations under the pre-
4 ceding proviso, the Secretary shall distribute the remain-
5 ing funds made available under this heading for a bridge
6 replacement and rehabilitation program to each qualifying
7 State by the proportion that the percentage of total deck
8 area of bridges classified as in poor condition in such
9 qualifying State bears to the sum of the percentages of
10 total deck area of bridges classified as in poor condition
11 in all qualifying States: *Provided further*, That for the
12 bridge replacement and rehabilitation program:

13 (1) no qualifying State shall receive more than
14 \$50,000,000;

15 (2) each State shall receive an amount not less
16 than \$6,000,000; and

17 (3) after calculating the distribution of funds
18 pursuant to the preceding proviso, any amount in
19 excess of \$50,000,000 shall be redistributed equally
20 among each State that does not meet the definition
21 of a qualifying State:

22 *Provided further*, That the funds made available under this
23 heading for a bridge replacement and rehabilitation pro-
24 gram shall be used for highway bridge replacement or re-
25 habilitation projects on public roads: *Provided further*,

1 That for purposes of this heading for the bridge replace-
2 ment and rehabilitation program, the Secretary shall cal-
3 culate the percentages of total deck area of bridges (in-
4 cluding the percentages of total deck area classified as in
5 poor condition) based on the National Bridge Inventory
6 as of December 31, 2018: *Provided further*, That the funds
7 made available under this heading for a bridge replace-
8 ment and rehabilitation program shall be administered as
9 if apportioned under chapter 1 of title 23, United States
10 Code, and shall remain available through September 30,
11 2023: *Provided further*, That the funds made available
12 under this heading, in paragraph (7) in the third proviso,
13 shall be available for projects eligible under section 130(a)
14 of title 23, United States Code, for commuter authorities,
15 as defined in section 24102(2) of title 49, United States
16 Code, that experienced at least one accident investigated
17 by the National Transportation Safety Board between
18 January 1, 2008 and December 31, 2018 and for which
19 the National Transportation Safety Board issued an acci-
20 dent report: *Provided further*, That the funds made avail-
21 able under this heading, in paragraph (7) of the third pro-
22 viso, shall be administered as if apportioned under chapter
23 1 of title 23, United States Code: *Provided further*, That
24 for the purposes of funds made available under this head-
25 ing for construction of the Appalachian Development

1 Highway System, the term “Appalachian State” means a
2 State that contains 1 or more counties (including any po-
3 litical subdivision located within the area) in the Appa-
4 lachian region as defined in section 14102(a) of title 40,
5 United States Code: *Provided further*, That funds made
6 available under this heading for construction of the Appa-
7 lachian Development Highway System shall remain avail-
8 able until expended: *Provided further*, That a project car-
9 ried out with funds made available under this heading for
10 construction of the Appalachian Development Highway
11 System shall be carried out in the same manner as a
12 project under section 14501 of title 40, United States
13 Code: *Provided further*, That subject to the following pro-
14 viso, funds made available under this heading for con-
15 struction of the Appalachian Development Highway Sys-
16 tem shall be apportioned to Appalachian States according
17 to the percentages derived from the 2012 Appalachian De-
18 velopment Highway System Cost-to-Complete Estimate,
19 adopted in Appalachian Regional Commission Resolution
20 Number 736, and confirmed as each Appalachian State’s
21 relative share of the estimated remaining need to complete
22 the Appalachian Development Highway System, adjusted
23 to exclude those corridors that such States have no current
24 plans to complete, as reported in the 2013 Appalachian
25 Development Highway System Completion Report: *Pro-*

1 *vided further*, That the Secretary shall adjust apportion-
2 ments made under the preceding proviso so that no Appa-
3 lachian State shall be apportioned an amount in excess
4 of 30 percent of the amount made available for construc-
5 tion of the Appalachian Development Highway System
6 under this heading: *Provided further*, That the Secretary
7 shall consult with the Appalachian Regional Commission
8 in making adjustments under the preceding two provisos:
9 *Provided further*, That the Federal share of the costs for
10 which an expenditure is made for construction of the Ap-
11 palachian Development Highway System under this head-
12 ing shall be up to 100 percent: *Provided further*, That
13 amounts provided under this heading in paragraphs (7),
14 (8), and (9) shall remain available until expended.

15 ADMINISTRATIVE PROVISIONS—FEDERAL HIGHWAY

16 ADMINISTRATION

17 SEC. 120. (a) For fiscal year 2020, the Secretary of
18 Transportation shall—

19 (1) not distribute from the obligation limitation
20 for Federal-aid highways—

21 (A) amounts authorized for administrative
22 expenses and programs by section 104(a) of
23 title 23, United States Code; and

24 (B) amounts authorized for the Bureau of
25 Transportation Statistics;

1 (2) not distribute an amount from the obliga-
2 tion limitation for Federal-aid highways that is equal
3 to the unobligated balance of amounts—

4 (A) made available from the Highway
5 Trust Fund (other than the Mass Transit Ac-
6 count) for Federal-aid highway and highway
7 safety construction programs for previous fiscal
8 years the funds for which are allocated by the
9 Secretary (or apportioned by the Secretary
10 under sections 202 or 204 of title 23, United
11 States Code); and

12 (B) for which obligation limitation was
13 provided in a previous fiscal year;

14 (3) determine the proportion that—

15 (A) the obligation limitation for Federal-
16 aid highways, less the aggregate of amounts not
17 distributed under paragraphs (1) and (2) of
18 this subsection; bears to

19 (B) the total of the sums authorized to be
20 appropriated for the Federal-aid highway and
21 highway safety construction programs (other
22 than sums authorized to be appropriated for
23 provisions of law described in paragraphs (1)
24 through (11) of subsection (b) and sums au-
25 thorized to be appropriated for section 119 of

1 title 23, United States Code, equal to the
2 amount referred to in subsection (b)(12) for
3 such fiscal year), less the aggregate of the
4 amounts not distributed under paragraphs (1)
5 and (2) of this subsection;

6 (4) distribute the obligation limitation for Fed-
7 eral-aid highways, less the aggregate amounts not
8 distributed under paragraphs (1) and (2), for each
9 of the programs (other than programs to which
10 paragraph (1) applies) that are allocated by the Sec-
11 retary under the Fixing America's Surface Trans-
12 portation Act and title 23, United States Code, or
13 apportioned by the Secretary under sections 202 or
14 204 of that title, by multiplying—

15 (A) the proportion determined under para-
16 graph (3); by

17 (B) the amounts authorized to be appro-
18 priated for each such program for such fiscal
19 year; and

20 (5) distribute the obligation limitation for Fed-
21 eral-aid highways, less the aggregate amounts not
22 distributed under paragraphs (1) and (2) and the
23 amounts distributed under paragraph (4), for Fed-
24 eral-aid highway and highway safety construction
25 programs that are apportioned by the Secretary

1 under title 23, United States Code (other than the
2 amounts apportioned for the National Highway Per-
3 formance Program in section 119 of title 23, United
4 States Code, that are exempt from the limitation
5 under subsection (b)(12) and the amounts appor-
6 tioned under sections 202 and 204 of that title) in
7 the proportion that—

8 (A) amounts authorized to be appropriated
9 for the programs that are apportioned under
10 title 23, United States Code, to each State for
11 such fiscal year; bears to

12 (B) the total of the amounts authorized to
13 be appropriated for the programs that are ap-
14 portioned under title 23, United States Code, to
15 all States for such fiscal year.

16 (b) EXCEPTIONS FROM OBLIGATION LIMITATION.—

17 The obligation limitation for Federal-aid highways shall
18 not apply to obligations under or for—

19 (1) section 125 of title 23, United States Code;

20 (2) section 147 of the Surface Transportation
21 Assistance Act of 1978 (23 U.S.C. 144 note; 92
22 Stat. 2714);

23 (3) section 9 of the Federal-Aid Highway Act
24 of 1981 (95 Stat. 1701);

1 (4) subsections (b) and (j) of section 131 of the
2 Surface Transportation Assistance Act of 1982 (96
3 Stat. 2119);

4 (5) subsections (b) and (c) of section 149 of the
5 Surface Transportation and Uniform Relocation As-
6 sistance Act of 1987 (101 Stat. 198);

7 (6) sections 1103 through 1108 of the Inter-
8 modal Surface Transportation Efficiency Act of
9 1991 (105 Stat. 2027);

10 (7) section 157 of title 23, United States Code
11 (as in effect on June 8, 1998);

12 (8) section 105 of title 23, United States Code
13 (as in effect for fiscal years 1998 through 2004, but
14 only in an amount equal to \$639,000,000 for each
15 of those fiscal years);

16 (9) Federal-aid highway programs for which ob-
17 ligation authority was made available under the
18 Transportation Equity Act for the 21st Century
19 (112 Stat. 107) or subsequent Acts for multiple
20 years or to remain available until expended, but only
21 to the extent that the obligation authority has not
22 lapsed or been used;

23 (10) section 105 of title 23, United States Code
24 (as in effect for fiscal years 2005 through 2012, but

1 only in an amount equal to \$639,000,000 for each
2 of those fiscal years);

3 (11) section 1603 of SAFETEA-LU (23
4 U.S.C. 118 note; 119 Stat. 1248), to the extent that
5 funds obligated in accordance with that section were
6 not subject to a limitation on obligations at the time
7 at which the funds were initially made available for
8 obligation; and

9 (12) section 119 of title 23, United States Code
10 (but, for each of fiscal years 2013 through 2020,
11 only in an amount equal to \$639,000,000).

12 (c) REDISTRIBUTION OF UNUSED OBLIGATION AU-
13 THORITY.—Notwithstanding subsection (a), the Secretary
14 shall, after August 1 of such fiscal year—

15 (1) revise a distribution of the obligation limita-
16 tion made available under subsection (a) if an
17 amount distributed cannot be obligated during that
18 fiscal year; and

19 (2) redistribute sufficient amounts to those
20 States able to obligate amounts in addition to those
21 previously distributed during that fiscal year, giving
22 priority to those States having large unobligated bal-
23 ances of funds apportioned under sections 144 (as in
24 effect on the day before the date of enactment of

1 Public Law 112–141) and 104 of title 23, United
2 States Code.

3 (d) APPLICABILITY OF OBLIGATION LIMITATIONS TO
4 TRANSPORTATION RESEARCH PROGRAMS.—

5 (1) IN GENERAL.—Except as provided in para-
6 graph (2), the obligation limitation for Federal-aid
7 highways shall apply to contract authority for trans-
8 portation research programs carried out under—

9 (A) chapter 5 of title 23, United States
10 Code; and

11 (B) title VI of the Fixing America’s Sur-
12 face Transportation Act.

13 (2) EXCEPTION.—Obligation authority made
14 available under paragraph (1) shall—

15 (A) remain available for a period of 4 fis-
16 cal years; and

17 (B) be in addition to the amount of any
18 limitation imposed on obligations for Federal-
19 aid highway and highway safety construction
20 programs for future fiscal years.

21 (e) REDISTRIBUTION OF CERTAIN AUTHORIZED
22 FUNDS.—

23 (1) IN GENERAL.—Not later than 30 days after
24 the date of distribution of obligation limitation
25 under subsection (a), the Secretary shall distribute

1 to the States any funds (excluding funds authorized
2 for the program under section 202 of title 23,
3 United States Code) that—

4 (A) are authorized to be appropriated for
5 such fiscal year for Federal-aid highway pro-
6 grams; and

7 (B) the Secretary determines will not be
8 allocated to the States (or will not be appor-
9 tioned to the States under section 204 of title
10 23, United States Code), and will not be avail-
11 able for obligation, for such fiscal year because
12 of the imposition of any obligation limitation for
13 such fiscal year.

14 (2) **RATIO.**—Funds shall be distributed under
15 paragraph (1) in the same proportion as the dis-
16 tribution of obligation authority under subsection
17 (a)(5).

18 (3) **AVAILABILITY.**—Funds distributed to each
19 State under paragraph (1) shall be available for any
20 purpose described in section 133(b) of title 23,
21 United States Code.

22 **SEC. 121.** Notwithstanding 31 U.S.C. 3302, funds re-
23 ceived by the Bureau of Transportation Statistics from the
24 sale of data products, for necessary expenses incurred pur-
25 suant to chapter 63 of title 49, United States Code, may

1 be credited to the Federal-aid highways account for the
2 purpose of reimbursing the Bureau for such expenses:
3 *Provided*, That such funds shall be subject to the obliga-
4 tion limitation for Federal-aid highway and highway safety
5 construction programs.

6 SEC. 122. Not less than 15 days prior to waiving,
7 under his or her statutory authority, any Buy America re-
8 quirement for Federal-aid highways projects, the Sec-
9 retary of Transportation shall make an informal public no-
10 tice and comment opportunity on the intent to issue such
11 waiver and the reasons therefor: *Provided*, That the Sec-
12 retary shall provide an annual report to the House and
13 Senate Committees on Appropriations on any waivers
14 granted under the Buy America requirements.

15 SEC. 123. None of the funds provided in this Act to
16 the Department of Transportation may be used to provide
17 credit assistance unless not less than 3 days before any
18 application approval to provide credit assistance under
19 sections 603 and 604 of title 23, United States Code, the
20 Secretary of Transportation provides notification in writ-
21 ing to the following committees: the House and Senate
22 Committees on Appropriations; the Committee on Envi-
23 ronment and Public Works and the Committee on Bank-
24 ing, Housing and Urban Affairs of the Senate; and the
25 Committee on Transportation and Infrastructure of the

1 House of Representatives: *Provided*, That such notifica-
2 tion shall include, but not be limited to, the name of the
3 project sponsor; a description of the project; whether cred-
4 it assistance will be provided as a direct loan, loan guar-
5 antee, or line of credit; and the amount of credit assist-
6 ance.

7 SEC. 124. None of the funds provided in this Act may
8 be used to make a grant for a project under section 117
9 of title 23, United States Code, unless the Secretary, at
10 least 60 days before making a grant under that section,
11 provides written notification to the House and Senate
12 Committees on Appropriations of the proposed grant, in-
13 cluding an evaluation and justification for the project and
14 the amount of the proposed grant award: *Provided*, That
15 the written notification required in the previous proviso
16 shall be made no later than 180 days after enactment of
17 this Act.

18 SEC. 125. (a) A State or territory, as defined in sec-
19 tion 165 of title 23, United States Code, may use for any
20 project eligible under section 133(b) of title 23 or section
21 165 of title 23 and located within the boundary of the
22 State or territory any earmarked amount, and any associ-
23 ated obligation limitation: *Provided*, That the Department
24 of Transportation for the State or territory for which the
25 earmarked amount was originally designated or directed

1 notifies the Secretary of Transportation of its intent to
2 use its authority under this section and submits a quar-
3 terly report to the Secretary identifying the projects to
4 which the funding would be applied. Notwithstanding the
5 original period of availability of funds to be obligated
6 under this section, such funds and associated obligation
7 limitation shall remain available for obligation for a period
8 of 3 fiscal years after the fiscal year in which the Sec-
9 retary of Transportation is notified. The Federal share of
10 the cost of a project carried out with funds made available
11 under this section shall be the same as associated with
12 the earmark.

13 (b) In this section, the term “earmarked amount”
14 means—

15 (1) congressionally directed spending, as de-
16 fined in rule XLIV of the Standing Rules of the
17 Senate, identified in a prior law, report, or joint ex-
18 planatory statement, which was authorized to be ap-
19 propriated or appropriated more than 10 fiscal years
20 prior to the current fiscal year, and administered by
21 the Federal Highway Administration; or

22 (2) a congressional earmark, as defined in rule
23 XXI of the Rules of the House of Representatives,
24 identified in a prior law, report, or joint explanatory
25 statement, which was authorized to be appropriated

1 or appropriated more than 10 fiscal years prior to
2 the current fiscal year, and administered by the Fed-
3 eral Highway Administration.

4 (c) The authority under subsection (a) may be exer-
5 cised only for those projects or activities that have obli-
6 gated less than 10 percent of the amount made available
7 for obligation as of October 1 of the current fiscal year,
8 and shall be applied to projects within the same general
9 geographic area within 25 miles for which the funding was
10 designated, except that a State or territory may apply
11 such authority to unexpended balances of funds from
12 projects or activities the State or territory certifies have
13 been closed and for which payments have been made under
14 a final voucher.

15 (d) The Secretary shall submit consolidated reports
16 of the information provided by the States and territories
17 each quarter to the House and Senate Committees on Ap-
18 propriations.

19 SEC. 126. The following are repealed:

20 (1) Section 352 of the National Highway Sys-
21 tem Designation Act of 1995 (Public Law 104–59,
22 109 Stat. 568).

23 (2) Section 324 of the Department of Trans-
24 portation and Related Agencies Appropriations Act,
25 1986 (Public Law 99–190; 99 Stat. 1288).

1 (3) Section 325 of the Department of Trans-
2 portation and Related Agencies Appropriations Act,
3 1996 (Public Law 104–50; 109 Stat. 456).

4 Notwithstanding any other provision of law, tolls collected
5 for motor vehicles on any bridge connecting the boroughs
6 of Brooklyn, New York, and Staten Island, New York,
7 shall be collected for any such vehicles exiting from such
8 bridge in both Staten Island and Brooklyn.

9 SEC. 127. Section 125(d) of title 23, United States
10 Code, is amended by striking paragraph (4).

11 SEC. 128. Until final guidance is published, the Ad-
12 ministrators of the Federal Highway Administration shall
13 make determinations on Buy America waivers for those
14 waivers that were submitted before April 17, 2018, as if
15 the notice of proposed rulemaking of that date was not
16 in effect.

17 SEC. 129. Section 1948 of SAFETEA–LU (Public
18 Law 109–59; 119 Stat. 1514) is repealed.

19 SEC. 129A. Section 119(e)(5) of title 23, United
20 States Code, is amended to read as follows:

21 “(5) REQUIREMENT FOR PLAN.—

22 “(A) IN GENERAL.—Notwithstanding sec-
23 tion 120, each fiscal year, if the Secretary de-
24 termines that a State has not developed and im-
25 plemented a State asset management plan con-

1 sistent with this section, the Federal share pay-
2 able on account of any project or activity for
3 which funds are obligated by the State in that
4 fiscal year under this section shall be 65 per-
5 cent.

6 “(B) DETERMINATION.—The Secretary
7 shall make the determination under subpara-
8 graph (A) for a fiscal year not later than the
9 day before the beginning of such fiscal year.”.

10 FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

11 MOTOR CARRIER SAFETY OPERATIONS AND PROGRAMS

12 (LIQUIDATION OF CONTRACT AUTHORIZATION)

13 (LIMITATION ON OBLIGATIONS)

14 (HIGHWAY TRUST FUND)

15 For payment of obligations incurred in the implemen-
16 tation, execution and administration of motor carrier safe-
17 ty operations and programs pursuant to section 31110 of
18 title 49, United States Code, as amended by the Fixing
19 America’s Surface Transportation Act, \$288,000,000, to
20 be derived from the Highway Trust Fund (other than the
21 Mass Transit Account), together with advances and reim-
22 bursements received by the Federal Motor Carrier Safety
23 Administration, the sum of which shall remain available
24 until expended: *Provided*, That funds available for imple-
25 mentation, execution or administration of motor carrier

1 ner of delivery, which records the receipt of the notice by
2 the persons responsible for the violations.

3 SEC. 131. None of the funds appropriated or other-
4 wise made available to the Department of Transportation
5 by this Act or any other Act may be obligated or expended
6 to implement, administer, or enforce the requirements of
7 section 31137 of title 49, United States Code, or any regu-
8 lation issued by the Secretary pursuant to such section,
9 with respect to the use of electronic logging devices by op-
10 erators of commercial motor vehicles, as defined in section
11 31132(1) of such title, transporting livestock as defined
12 in section 602 of the Emergency Livestock Feed Assist-
13 ance Act of 1988 (7 U.S.C. 1471) or insects.

14 SEC. 132. The Federal Motor Carrier Safety Admin-
15 istration shall update annual inspection regulations under
16 Appendix G to subchapter B of chapter III of title 49,
17 Code of Federal Regulations, as recommended by GAO—
18 19–264.

19 NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION
20 OPERATIONS AND RESEARCH

21 For expenses necessary to discharge the functions of
22 the Secretary, with respect to traffic and highway safety
23 authorized under chapter 301 and part C of subtitle VI
24 of title 49, United States Code, \$194,000,000, of which

1 \$40,000,000 shall remain available through September
2 30, 2021.

3 OPERATIONS AND RESEARCH
4 (LIQUIDATION OF CONTRACT AUTHORIZATION)
5 (LIMITATION ON OBLIGATIONS)
6 (HIGHWAY TRUST FUND)

7 For payment of obligations incurred in carrying out
8 the provisions of 23 U.S.C. 403, including behavioral re-
9 search on Automated Driving Systems and Advanced
10 Driver Assistance Systems and improving consumer re-
11 sponses to safety recalls, section 4011 of the Fixing Amer-
12 ica’s Surface Transportation Act (Public Law 114–94),
13 and chapter 303 of title 49, United States Code,
14 \$155,300,000, to be derived from the Highway Trust
15 Fund (other than the Mass Transit Account) and to re-
16 main available until expended: *Provided*, That none of the
17 funds in this Act shall be available for the planning or
18 execution of programs the total obligations for which, in
19 fiscal year 2020, are in excess of \$155,300,000: *Provided*
20 *further*, That of the sums appropriated under this head-
21 ing—

22 (1) \$149,800,000 shall be for programs author-
23 ized under 23 U.S.C. 403, including behavioral re-
24 search on Automated Driving Systems and Ad-
25 vanced Driver Assistance Systems and improving

1 consumer responses to safety recalls, and section
2 4011 of the Fixing America's Surface Transpor-
3 tation Act (Public Law 114–94); and

4 (2) \$5,500,000 shall be for the National Driver
5 Register authorized under chapter 303 of title 49,
6 United States Code:

7 *Provided further*, That within the \$155,300,000 obligation
8 limitation for operations and research, \$20,000,000 shall
9 remain available until September 30, 2021, and shall be
10 in addition to the amount of any limitation imposed on
11 obligations for future years: *Provided further*, That
12 amounts for behavioral research on Automated Driving
13 Systems and Advanced Driver Assistance Systems and im-
14 proving consumer responses to safety recalls are in addi-
15 tion to any other funds provided for those purposes for
16 fiscal year 2020 in this Act.

17 HIGHWAY TRAFFIC SAFETY GRANTS
18 (LIQUIDATION OF CONTRACT AUTHORIZATION)
19 (LIMITATION ON OBLIGATIONS)
20 (HIGHWAY TRUST FUND)

21 For payment of obligations incurred in carrying out
22 provisions of 23 U.S.C. 402, 404, and 405, and section
23 4001(a)(6) of the Fixing America's Surface Transpor-
24 tation Act, to remain available until expended,
25 \$623,017,000, to be derived from the Highway Trust

1 Fund (other than the Mass Transit Account): *Provided*,
2 That none of the funds in this Act shall be available for
3 the planning or execution of programs for which the total
4 obligations in fiscal year 2020 are in excess of
5 \$623,017,000 for programs authorized under 23 U.S.C.
6 402, 404, and 405, and section 4001(a)(6) of the Fixing
7 America’s Surface Transportation Act: *Provided further*,
8 That of the sums appropriated under this heading—

9 (1) \$279,800,000 shall be for “Highway Safety
10 Programs” under 23 U.S.C. 402;

11 (2) \$285,900,000 shall be for “National Pri-
12 ority Safety Programs” under 23 U.S.C. 405;

13 (3) \$30,500,000 shall be for the “High Visi-
14 bility Enforcement Program” under 23 U.S.C. 404;
15 and

16 (4) \$26,817,000 shall be for “Administrative
17 Expenses” under section 4001(a)(6) of the Fixing
18 America’s Surface Transportation Act:

19 *Provided further*, That none of these funds shall be used
20 for construction, rehabilitation, or remodeling costs, or for
21 office furnishings and fixtures for State, local or private
22 buildings or structures: *Provided further*, That not to ex-
23 ceed \$500,000 of the funds made available for “National
24 Priority Safety Programs” under 23 U.S.C. 405 for “Im-
25 paired Driving Countermeasures” (as described in sub-

1 section (d) of that section) shall be available for technical
2 assistance to the States: *Provided further*, That with re-
3 spect to the “Transfers” provision under 23 U.S.C.
4 405(a)(8), any amounts transferred to increase the
5 amounts made available under section 402 shall include
6 the obligation authority for such amounts: *Provided fur-*
7 *ther*, That the Administrator shall notify the House and
8 Senate Committees on Appropriations of any exercise of
9 the authority granted under the previous proviso or under
10 23 U.S.C. 405(a)(8) within 5 days.

11 ADMINISTRATIVE PROVISIONS—NATIONAL HIGHWAY

12 TRAFFIC SAFETY ADMINISTRATION

13 SEC. 140. An additional \$130,000 shall be made
14 available to the National Highway Traffic Safety Adminis-
15 tration, out of the amount limited for section 402 of title
16 23, United States Code, to pay for travel and related ex-
17 penses for State management reviews and to pay for core
18 competency development training and related expenses for
19 highway safety staff.

20 SEC. 141. The limitations on obligations for the pro-
21 grams of the National Highway Traffic Safety Adminis-
22 tration set in this Act shall not apply to obligations for
23 which obligation authority was made available in previous
24 public laws but only to the extent that the obligation au-
25 thority has not lapsed or been used.

1 SEC. 142. In addition to the amounts made available
2 under the heading, “Operations and Research (Liquida-
3 tion of Contract Authorization) (Limitation on Obliga-
4 tions) (Highway Trust Fund)” for carrying out the provi-
5 sions of section 403 of title 23, United States Code,
6 \$17,000,000, to remain available until September 30,
7 2021, shall be made available to the National Highway
8 Traffic Safety Administration from the general fund: *Pro-*
9 *vided*, That of the sums provided under this provision—

10 (1) not to exceed \$7,000,000 shall be available to pro-
11 vide funding for grants, pilot program activities, and inno-
12 vative solutions to reduce impaired-driving fatalities in col-
13 laboration with eligible entities under section 403 of title
14 23, United States Code; and

15 (2) not to exceed \$10,000,000 shall be available to
16 continue a high visibility enforcement paid-media cam-
17 paign regarding highway-rail grade crossing safety in col-
18 laboration with the Federal Railroad Administration.

19 SEC. 143. None of the funds in this Act or any other
20 Act shall be used to enforce the requirements of 23 U.S.C.
21 405(a)(9).

1 FEDERAL RAILROAD ADMINISTRATION

2 SAFETY AND OPERATIONS

3 For necessary expenses of the Federal Railroad Ad-
4 ministration, not otherwise provided for, \$224,198,000, of
5 which \$20,000,000 shall remain available until expended.

6 RAILROAD RESEARCH AND DEVELOPMENT

7 For necessary expenses for railroad research and de-
8 velopment, \$40,600,000, to remain available until ex-
9 pended.

10 RAILROAD REHABILITATION AND IMPROVEMENT

11 FINANCING PROGRAM

12 The Secretary of Transportation is authorized to
13 issue direct loans and loan guarantees pursuant to sec-
14 tions 501 through 504 of the Railroad Revitalization and
15 Regulatory Reform Act of 1976 (Public Law 94–210), as
16 amended, such authority shall exist as long as any such
17 direct loan or loan guarantee is outstanding.

18 FEDERAL-STATE PARTNERSHIP FOR STATE OF GOOD

19 REPAIR

20 For necessary expenses related to Federal-State
21 Partnership for State of Good Repair Grants as author-
22 ized by section 24911 of title 49, United States Code,
23 \$200,000,000, to remain available until expended: *Pro-*
24 *vided*, That the Secretary may withhold up to one percent
25 of the amount provided under this heading for the costs

1 of award and project management oversight of grants car-
2 ried out under section 24911 of title 49, United States
3 Code: *Provided further*, That the Secretary shall issue the
4 Notice of Funding Opportunity for funds provided under
5 this heading consistent with section 24911 of title 49,
6 United States Code, no later than 180 days after enact-
7 ment of this Act: *Provided further*, That the Secretary
8 shall review all applications received in response to the No-
9 tice of Funding Opportunity required in the previous pro-
10 viso: *Provided further*, That the Secretary shall announce
11 the selection of projects to receive awards for the funds
12 described in the previous two provisos no later than 1 year
13 of enactment of this Act.

14 CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY
15 IMPROVEMENTS

16 For necessary expenses related to Consolidated Rail
17 Infrastructure and Safety Improvements Grants, as au-
18 thorized by section 22907 of title 49, United States Code,
19 \$325,000,000, to remain available until expended: *Pro-*
20 *vided*, That section 22905(f) of title 49, United States
21 Code, shall not apply to projects for the implementation
22 of positive train control systems otherwise eligible under
23 section 22907(e)(1) of title 49, United States Code: *Pro-*
24 *vided further*, That amounts available under this heading
25 for projects selected for commuter rail passenger transpor-

1 tation may be transferred by the Secretary, after selection,
2 to the appropriate agencies to be administered in accord-
3 ance with chapter 53 of title 49, United States Code: *Pro-*
4 *vided further*, That the Secretary shall not limit eligible
5 projects from consideration for funding for planning, engi-
6 neering, environmental, construction, and design elements
7 of the same project in the same application: *Provided fur-*
8 *ther*, That unobligated balances remaining after 4 years
9 from the date of enactment may be used for any eligible
10 project under section 22907(e) of title 49, United States
11 Code: *Provided further*, That the Secretary may withhold
12 up to one percent of the amount provided under this head-
13 ing for the costs of award and project management over-
14 sight of grants carried out under section 22907 of title
15 49, United States Code: *Provided further*, That of the
16 sums appropriated under this heading, \$45,000,000 shall
17 be available for projects eligible under section 22907(e)(2)
18 of title 49, United States Code, that require the acquisi-
19 tion of rights-of-way, track, or track structure to support
20 the development of new intercity passenger rail service
21 routes: *Provided further*, That for amounts available under
22 this heading eligible recipients under section 22907(b) of
23 title 49, United States Code, shall include any holding
24 company of a Class II railroad or Class III railroad (as
25 those terms are defined in section 20102 of title 49,

1 United States Code): *Provided further*, That the Secretary
2 shall issue the Notice of Funding Opportunity that encom-
3 passes funds provided under this heading in this Act no
4 later than 120 days after enactment of this Act and an-
5 nounce the selection of projects to receive awards for such
6 funds no later than 300 days after the enactment of this
7 Act: *Provided further*, That the Notice of Funding Oppor-
8 tunity under the previous proviso shall require application
9 submissions 60 days after the publishing of such Notice.

10 MAGNETIC LEVITATION TECHNOLOGY DEPLOYMENT

11 PROGRAM

12 For necessary expenses related to the deployment of
13 magnetic levitation transportation projects, consistent
14 with language in section 1307(a) through (c) of Public
15 Law 109–59, as amended by section 102 of Public Law
16 110–244 (section 322 of title 23, United States Code),
17 \$2,000,000, to remain available until expended.

18 RESTORATION AND ENHANCEMENT

19 For necessary expenses related to Restoration and
20 Enhancement Grants, as authorized by section 24408 of
21 title 49, United States Code, \$2,000,000, to remain avail-
22 able until expended: *Provided*, That the Secretary may
23 withhold up to one percent of the funds provided under
24 this heading to fund the costs of award and project man-
25 agement and oversight.

1 NORTHEAST CORRIDOR GRANTS TO THE NATIONAL
2 RAILROAD PASSENGER CORPORATION

3 To enable the Secretary of Transportation to make
4 grants to the National Railroad Passenger Corporation for
5 activities associated with the Northeast Corridor as au-
6 thorized by section 11101(a) of the Fixing America’s Sur-
7 face Transportation Act (division A of Public Law 114–
8 94), \$700,000,000, to remain available until expended:
9 *Provided*, That the Secretary may retain up to one-half
10 of 1 percent of the funds provided under both this heading
11 and the “National Network Grants to the National Rail-
12 road Passenger Corporation” heading to fund the costs
13 of project management and oversight of activities author-
14 ized by section 11101(c) of division A of Public Law 114–
15 94: *Provided further*, That in addition to the project man-
16 agement oversight funds authorized under section
17 11101(c) of division A of Public Law 114–94, the Sec-
18 retary may retain up to an additional \$5,000,000 of the
19 funds provided under this heading to fund expenses associ-
20 ated with the Northeast Corridor Commission established
21 under section 24905 of title 49, United States Code: *Pro-*
22 *vided further*, That of the amounts made available under
23 this heading and the “National Network Grants to the Na-
24 tional Railroad Passenger Corporation” heading, not less
25 than \$50,000,000 shall be made available to bring Am-

1 trak-served facilities and stations into compliance with the
2 Americans with Disabilities Act: *Provided further*, That of
3 the amounts made available under this heading and the
4 “National Network Grants to the National Railroad Pas-
5 senger Corporation” heading, \$100,000,000 shall be made
6 available to fund the replacement of the single-level pas-
7 senger cars used on Northeast Corridor, State Supported
8 Corridor, and Long Distance routes.

9 NATIONAL NETWORK GRANTS TO THE NATIONAL
10 RAILROAD PASSENGER CORPORATION

11 To enable the Secretary of Transportation to make
12 grants to the National Railroad Passenger Corporation for
13 activities associated with the National Network as author-
14 ized by section 11101(b) of the Fixing America’s Surface
15 Transportation Act (division A of Public Law 114–94),
16 \$1,300,000,000, to remain available until expended: *Pro-*
17 *vided*, That the Secretary may retain up to an additional
18 \$2,000,000 of the funds provided under this heading to
19 fund expenses associated with the State-Supported Route
20 Committee established under section 24712 of title 49,
21 United States Code: *Provided further*, That at least
22 \$50,000,000 of the amount provided under this heading
23 shall be available for the development, installation and op-
24 eration of railroad safety technology, including the imple-
25 mentation of a positive train control system, on State-sup-

1 ported routes as defined under section 24102(13) of title
2 49, United States Code, on which positive train control
3 systems are not required by law or regulation: *Provided*
4 *further*, That none of the funds provided under this head-
5 ing shall be used by Amtrak to give notice under sub-
6 section (a) or (b) of section 24706 of title 49, United
7 States Code, with respect to long-distance routes (as de-
8 fined in section 24102 of title 49, United States Code)
9 on which Amtrak is the sole operator on a host railroad's
10 line and a positive train control system is not required by
11 law or regulation, or, except in an emergency or during
12 maintenance or construction outages impacting such
13 routes, to otherwise discontinue, reduce the frequency of,
14 suspend, or substantially alter the route of rail service on
15 any portion of such route operated in fiscal year 2018,
16 including implementation of service permitted by section
17 24305(a)(3)(A) of title 49, United States Code, in lieu of
18 rail service.

19 ADMINISTRATIVE PROVISIONS—FEDERAL RAILROAD

20 ADMINISTRATION

21 SEC. 150. None of the funds provided to the National
22 Railroad Passenger Corporation may be used to fund any
23 overtime costs in excess of \$35,000 for any individual em-
24 ployee: *Provided*, That the President of Amtrak may waive
25 the cap set in the previous proviso for specific employees

1 when the President of Amtrak determines such a cap
2 poses a risk to the safety and operational efficiency of the
3 system: *Provided further*, That the President of Amtrak
4 shall report to the House and Senate Committees on Ap-
5 propriations within 60 days of enactment of this Act, a
6 summary of all overtime payments incurred by the Cor-
7 poration for 2019 and the three prior calendar years: *Pro-*
8 *vided further*, That such summary shall include the total
9 number of employees that received waivers and the total
10 overtime payments the Corporation paid to those employ-
11 ees receiving waivers for each month for 2019 and for the
12 three prior calendar years.

13 SEC. 151. None of the funds provided to the National
14 Railroad Passenger Corporation under the headings
15 “Northeast Corridor Grants to the National Railroad Pas-
16 senger Corporation” and “National Network Grants to the
17 National Railroad Passenger Corporation” may be used
18 to reduce the total number of Amtrak Police Department
19 uniformed officers patrolling on board passenger trains or
20 at stations, facilities or rights-of-way below the staffing
21 level on May 1, 2019.

22 SEC. 152. It is the sense of Congress that—

23 (1) long-distance passenger rail routes provide
24 much-needed transportation access for 4,700,000

1 riders in 325 communities in 40 States and are par-
2 ticularly important in rural areas; and

3 (2) long-distance passenger rail routes and
4 services should be sustained to ensure connectivity
5 throughout the National Network (as defined in sec-
6 tion 24102 of title 49, United States Code).

7 SEC. 153. None of the funds made available by this
8 Act may be used by the National Railroad Passenger Cor-
9 poration in contravention of the Worker Adjustment and
10 Retraining Notification Act (29 U.S.C. 2101 et seq.).

11 FEDERAL TRANSIT ADMINISTRATION

12 ADMINISTRATIVE EXPENSES

13 For necessary administrative expenses of the Federal
14 Transit Administration's programs authorized by chapter
15 53 of title 49, United States Code, \$117,000,000, of which
16 \$15,000,000 shall remain available until September 30,
17 2021, and up to \$1,000,000 shall be available to carry
18 out the provisions of section 5326 of such title: *Provided*,
19 That upon submission to the Congress of the fiscal year
20 2021 President's budget, the Secretary of Transportation
21 shall transmit to Congress the annual report on Capital
22 Investment Grants, including proposed allocations for fis-
23 cal year 2021.

1 cent, except that if there is substantial public interest or
2 benefit, the Secretary may approve a greater Federal
3 share: *Provided further*, That in addition to the amounts
4 appropriated for purposes of 49 U.S.C. 5338(e), not less
5 than 2 percent of the funds appropriated or available for
6 the purposes of 49 U.S.C. 5338(f) shall be available for
7 the purposes of 49 U.S.C. 5338(e).

8 TRANSIT INFRASTRUCTURE GRANTS

9 For an additional amount for buses and bus facilities
10 grants under section 5339 of title 49, United States Code,
11 low or no emission grants under section 5339(e) of such
12 title, formula grants to rural areas under section 5311 of
13 such title, high density state apportionments under section
14 5340(d) of such title, the demonstration and deployment
15 of innovative mobility solutions as authorized under sec-
16 tion 5312 of such title, bus testing facilities under sections
17 5312 and 5318 of such title, and for grants to areas of
18 persistent poverty, \$510,000,000, to remain available until
19 expended: *Provided*, That of the sums provided under this
20 heading—

21 (1) \$338,000,000 shall be available for the
22 buses and bus facilities competitive grants as au-
23 thorized under section 5339 of such title, of which
24 \$168,000,000 shall be available for the buses and
25 bus facilities formula grants as authorized under

1 section 5339(a) of such title, and \$170,000,000
2 shall be available for buses and bus facilities com-
3 petitive grants as authorized under section 5339(b)
4 of such title;

5 (2) \$75,000,000 shall be available for the low
6 or no emission grants as authorized under section
7 5339(e) of such title: *Provided*, That the minimum
8 grant award shall be not less than \$750,000;

9 (3) \$40,000,000 shall be available for formula
10 grants for rural areas as authorized under section
11 5311 of such title;

12 (4) \$40,000,000 shall be available for the high
13 density state apportionments as authorized under
14 section 5340(d) of such title;

15 (5) Notwithstanding section 5318(a) of such
16 title, \$3,000,000 shall be available for the operation
17 and maintenance of bus testing facilities by institu-
18 tions of higher education selected pursuant to sec-
19 tion 5312(h): *Provided*, That the Secretary shall
20 enter into a contract or cooperative agreement with,
21 or make a grant to, each institution of higher edu-
22 cation selected pursuant to section 5312(h) of such
23 title, to operate and maintain a facility to conduct
24 the testing of low or no emission vehicle new bus
25 models using the standards established pursuant to

1 section 5318(e)(2) of such title: *Provided further*,
2 That the term “low or no emission vehicle” has the
3 meaning given the term in section 5312(e)(6) of
4 such title: *Provided further*, That the Secretary shall
5 pay 80 percent of the cost of testing a low or no
6 emission vehicle new bus model at each selected in-
7 stitution of higher education: *Provided further*, That
8 the entity having the vehicle tested shall pay 20 per-
9 cent of the cost of testing: *Provided further*, That a
10 low or no emission vehicle new bus model tested that
11 receives a passing aggregate test score in accordance
12 with the standards established under section
13 5318(e)(2) of such title, shall be deemed to be in
14 compliance with the requirements of section 5318(e)
15 of such title;

16 (6) \$5,500,000 shall be available for the dem-
17 onstration and deployment of innovative mobility so-
18 lutions as authorized under section 5312 of such
19 title; and

20 (7) \$8,500,000 shall be available for competi-
21 tive grants to eligible entities to assist areas of per-
22 sistent poverty: *Provided*, That areas of persistent
23 poverty means any county that has consistently had
24 20 percent or more of the population living in pov-
25 erty over the 30 years preceding the date of enact-

1 ment of this Act, as measured by the 1990 and
2 2000 decennial census and the most recent Small
3 Area Income and Poverty Estimates, or any census
4 tract with a poverty rate of at least 20 percent as
5 measured by the 2013–2017 5-year data series avail-
6 able from the American Community Survey of the
7 Census Bureau: *Provided further*, That grants shall
8 be for planning, engineering, or development of tech-
9 nical, or financing plans for projects eligible under
10 chapter 53 of title 49, United States Code: *Provided*
11 *further*, That eligible entities are those defined as eli-
12 gible recipients or subrecipients under sections 5307,
13 5310 or 5311 of title 49, United States Code, and
14 are in areas of persistent poverty: *Provided further*,
15 That the Federal Transit Administration should
16 complete outreach to such counties and the depart-
17 ments of transportation within applicable States via
18 personal contact, webinars, web materials and other
19 appropriate methods determined by the Adminis-
20 trator: *Provided further*, That State departments of
21 transportation may apply on behalf of eligible enti-
22 ties within their States: *Provided further*, That the
23 Federal Transit Administration should encourage
24 grantees to work with non-profits or other entities of
25 their choosing in order to develop planning, tech-

1 nical, engineering, or financing plans: *Provided fur-*
2 *ther*, That the Federal Transit Administration
3 should encourage grantees to partner with non-prof-
4 its that can assist with making projects low or no
5 emissions: *Provided further*, That projects funded
6 under paragraph (7) of this heading shall be for not
7 less than 90 percent of the net total project cost:
8 *Provided further*, That amounts made available by this
9 heading shall be derived from the general fund: *Provided*
10 *further*, That the amounts made available under this head-
11 ing shall not be subject to any limitation on obligations
12 for transit programs set forth in any Act.

13 TECHNICAL ASSISTANCE AND TRAINING

14 For necessary expenses to carry out 49 U.S.C. 5314,
15 \$5,000,000, to remain available until September 30, 2021,
16 of which not less than \$2,500,000 shall be for a coopera-
17 tive agreement through which the Federal Transit Admin-
18 istration assists transit recipients with frontline workforce
19 development and standards based training in maintenance
20 and operations through an agreement with a national non-
21 profit organization with a demonstrated capacity to de-
22 velop and provide such programs through labor manage-
23 ment partnerships and apprenticeships: *Provided*, That
24 the assistance provided under this heading does not dupli-

1 cate the activities of 49 U.S.C. 5311(b) or 49 U.S.C.
2 5312.

3 CAPITAL INVESTMENT GRANTS

4 For necessary expenses to carry out fixed guideway
5 capital investment grants under section 5309 of title 49,
6 United States Code, and section 3005(b) of the Fixing
7 America's Surface Transportation Act, \$1,978,000,000, to
8 remain available until September 30, 2023: *Provided*,
9 That of the amounts made available under this heading,
10 \$1,681,300,000 shall be allocated by December 31, 2021:
11 *Provided further*, That of the amounts made available
12 under this heading, \$1,458,000,000 shall be available for
13 projects authorized under section 5309(d) of title 49,
14 United States Code, \$300,000,000 shall be available for
15 projects authorized under section 5309(e) of title 49,
16 United States Code, \$100,000,000 shall be available for
17 projects authorized under section 5309(h) of title 49,
18 United States Code, and \$100,000,000 shall be available
19 for projects authorized under section 3005(b) of the Fix-
20 ing America's Surface Transportation Act: *Provided fur-*
21 *ther*, That the Secretary shall continue to administer the
22 capital investment grants program in accordance with the
23 procedural and substantive requirements of section 5309
24 of title 49, United States Code, and of section 3005(b)
25 of the Fixing America's Surface Transportation Act: *Pro-*

1 *vided further*, That projects that receive a grant agreement
2 under the Expedited Project Delivery for Capital Invest-
3 ment Grants Pilot Program under section 3005(b) of the
4 Fixing America’s Surface Transportation Act shall be
5 deemed eligible for funding provided for projects under
6 section 5309 of title 49, United States Code, without fur-
7 ther evaluation or rating under such section: *Provided fur-*
8 *ther*, That such funding shall not exceed the Federal share
9 under section 3005(b).

10 GRANTS TO THE WASHINGTON METROPOLITAN AREA

11 TRANSIT AUTHORITY

12 For grants to the Washington Metropolitan Area
13 Transit Authority as authorized under section 601 of divi-
14 sion B of Public Law 110–432, \$150,000,000, to remain
15 available until expended: *Provided*, That the Secretary of
16 Transportation shall approve grants for capital and pre-
17 ventive maintenance expenditures for the Washington
18 Metropolitan Area Transit Authority only after receiving
19 and reviewing a request for each specific project: *Provided*
20 *further*, That the Secretary shall determine that the Wash-
21 ington Metropolitan Area Transit Authority has placed the
22 highest priority on those investments that will improve the
23 safety of the system before approving such grants: *Pro-*
24 *vided further*, That the Secretary, in order to ensure safety

1 throughout the rail system, may waive the requirements
2 of section 601(e)(1) of division B of Public Law 110–432.

3 ADMINISTRATIVE PROVISIONS—FEDERAL TRANSIT

4 ADMINISTRATION

5 SEC. 160. The limitations on obligations for the pro-
6 grams of the Federal Transit Administration shall not
7 apply to any authority under 49 U.S.C. 5338, previously
8 made available for obligation, or to any other authority
9 previously made available for obligation.

10 SEC. 161. Notwithstanding any other provision of
11 law, funds appropriated or limited by this Act under the
12 heading “Fixed Guideway Capital Investment” of the Fed-
13 eral Transit Administration for projects specified in this
14 Act or identified in reports accompanying this Act not ob-
15 ligated by September 30, 2023, and other recoveries, shall
16 be directed to projects eligible to use the funds for the
17 purposes for which they were originally provided.

18 SEC. 162. Notwithstanding any other provision of
19 law, any funds appropriated before October 1, 2019, under
20 any section of chapter 53 of title 49, United States Code,
21 that remain available for expenditure, may be transferred
22 to and administered under the most recent appropriation
23 heading for any such section.

1 SEC. 163. No funds in this or any other Act shall
2 be used to adjust apportionments or withhold funds from
3 apportionments pursuant to 26 U.S.C. 9503(e)(4).

4 SEC. 164. An eligible recipient of a grant under sec-
5 tion 5339(c) may submit an application in partnership
6 with other entities, including a transit vehicle manufac-
7 turer, that intend to participate in the implementation of
8 a project under section 5339(c) of title 49, United States
9 Code, and a project awarded with such partnership shall
10 be treated as satisfying the requirement for a competitive
11 procurement under section 5325(a) of title 49, United
12 States Code, for the named entity.

13 SEC. 165. None of the funds made available in this
14 or any other Act shall be used to impede or hinder project
15 advancement or approval for any project seeking a Federal
16 contribution from the capital investment grant program
17 of greater than 40 percent of project costs as authorized
18 under 49 U.S.C. 5309.

19 SEC. 166. None of the funds made available under
20 this Act may be used for the implementation or further-
21 ance of new policies detailed in the “Dear Colleague” let-
22 ter distributed by the Federal Transit Administration to
23 capital investment grant program project sponsors on
24 June 29, 2018.

1 MARITIME ADMINISTRATION

2 MARITIME SECURITY PROGRAM

3 For necessary expenses to maintain and preserve a
4 U.S.-flag merchant fleet to serve the national security
5 needs of the United States, \$300,000,000, to remain avail-
6 able until expended.

7 OPERATIONS AND TRAINING

8 (INCLUDING TRANSFER OF FUNDS)

9 For necessary expenses of operations and training ac-
10 tivities authorized by law, \$152,589,000: *Provided*, That
11 of the sums appropriated under this heading—

12 (1) \$80,216,000 shall remain available until
13 September 30, 2021 for the operations of the United
14 States Merchant Marine Academy;

15 (2) \$5,225,000 shall remain available until ex-
16 pended for the maintenance and repair, and equip-
17 ment at the United States Merchant Marine Acad-
18 emy;

19 (3) \$3,000,000 shall remain available until Sep-
20 tember 30, 2021 for the Maritime Environment and
21 Technology Assistance program authorized under
22 section 50307 of title 46, United States Code; and

23 (4) \$9,775,000, shall remain available until ex-
24 pended for the Short Sea Transportation Program
25 (America's Marine Highways) to make grants for

1 the purposes authorized under sections 55601(b)(1)
2 and (3) of title 46, United States Code:
3 *Provided further*, That not later than 120 days after enact-
4 ment of this Act, the Administrator of the Maritime Ad-
5 ministration shall transmit to the House and Senate Com-
6 mittees on Appropriations the annual report on sexual as-
7 sault and sexual harassment at the United States Mer-
8 chant Marine Academy as required pursuant to section
9 3507 of Public Law 110–417: *Provided further*, That
10 available balances under this heading for the Short Sea
11 Transportation Program (America’s Marine Highways)
12 from prior year recoveries shall be available to carry out
13 activities authorized under sections 55601(b)(1) and (3)
14 of title 46, United States Code: *Provided further*, That
15 from funds provided under paragraphs (3) and (4) of the
16 first proviso, the Secretary of Transportation shall make
17 grants no later than 180 days after enactment of this Act
18 in such amounts as the Secretary determines: *Provided*
19 *further*, That any unobligated balances and obligated bal-
20 ances not yet expended from previous appropriations
21 under this heading for programs and activities supporting
22 State Maritime Academies shall be transferred to and
23 merged with the appropriations for “Maritime Adminis-
24 tration—State Maritime Academy Operations” and shall
25 be made available for the same purposes as the appropria-

1 tions for “Maritime Administration—State Maritime
2 Academy Operations”.

3 STATE MARITIME ACADEMY OPERATIONS

4 For necessary expenses of operations, support and
5 training activities for State Maritime Academies,
6 \$342,280,000: *Provided*, That of the sums appropriated
7 under this heading—

8 (1) \$30,080,000, to remain available until ex-
9 pended, shall be for maintenance, repair, life exten-
10 sion, marine insurance, and capacity improvement of
11 National Defense Reserve Fleet training ships in
12 support of State Maritime Academies, of which
13 \$8,080,000, to remain available until expended, shall
14 be for expenses related to training mariners for costs
15 associated with training vessel sharing pursuant to
16 46 U.S.C. 51504(g)(3) for costs associated with mo-
17 bilizing, operating and demobilizing the vessel, in-
18 cluding travel costs for students, faculty and crew,
19 the costs of the general agent, crew costs, fuel, in-
20 surance, operational fees, and vessel hire costs, as
21 determined by the Secretary;

22 (2) \$300,000,000, to remain available until ex-
23 pended, shall be for the National Security Multi-Mis-
24 sion Vessel Program, including funds for construc-

1 tion, planning, administration, and design of school
2 ships;

3 (3) \$2,400,000 shall remain available through
4 September 30, 2021, for the Student Incentive Pro-
5 gram;

6 (4) \$3,800,000 shall remain available until ex-
7 pended for training ship fuel assistance; and

8 (5) \$6,000,000 shall remain available until Sep-
9 tember 30, 2021, for direct payments for State Mar-
10 itime Academies.

11 ASSISTANCE TO SMALL SHIPYARDS

12 To make grants to qualified shipyards as authorized
13 under section 54101 of title 46, United States Code, as
14 amended by Public Law 113–281, \$20,000,000, to remain
15 available until expended.

16 SHIP DISPOSAL

17 For necessary expenses related to the disposal of ob-
18 solete vessels in the National Defense Reserve Fleet of the
19 Maritime Administration, \$5,000,000, to remain available
20 until expended.

21 MARITIME GUARANTEED LOAN (TITLE XI) PROGRAM

22 ACCOUNT

23 (INCLUDING TRANSFER OF FUNDS)

24 For administrative expenses to carry out the guaran-
25 teed loan program, \$3,000,000, which shall be transferred

1 to and merged with the appropriations for “Operations
2 and Training”, Maritime Administration.

3 PORT INFRASTRUCTURE DEVELOPMENT PROGRAM

4 To make grants to improve port facilities as author-
5 ized under section 50302 of title 46, United States Code,
6 \$225,000,000 to remain available until expended: *Pro-*
7 *vided*, That projects eligible for funding provided under
8 this heading shall be projects for coastal seaports, inland
9 river ports, or Great Lakes ports: *Provided further*, That
10 of the amounts made available under this heading, no less
11 than \$200,000,000 shall be for coastal seaports or Great
12 Lakes ports: *Provided further*, That the Maritime Admin-
13 istration shall distribute funds provided under this head-
14 ing as discretionary grants to port authorities or commis-
15 sions or their subdivisions and agents under existing au-
16 thority, as well as to a State or political subdivision of
17 a State or local government, a tribal government, a public
18 agency or publicly chartered authority established by one
19 or more States, a special purpose district with a transpor-
20 tation function, a multistate or multijurisdictional group
21 of entities, or a lead entity described above jointly with
22 a private entity or group of private entities: *Provided fur-*
23 *ther*, That projects eligible for funding provided under this
24 heading shall be designed to improve the safety, efficiency,

1 or reliability of the movement of goods into, out of,
2 around, or within a port and located—

3 (1) within the boundary of a port, or

4 (2) outside the boundary of a port, and directly
5 related to port operations, or to an intermodal con-
6 nection to a port:

7 *Provided further*, That project awards eligible under this
8 heading shall be only for—

9 (1) port gate improvements;

10 (2) road improvements both within and con-
11 necting to the port;

12 (3) rail improvements both within and con-
13 necting to the port;

14 (4) berth improvements (including docks,
15 wharves, piers and dredging incidental to the im-
16 provement project);

17 (5) fixed landside improvements in support of
18 cargo operations (such as silos, elevators, conveyors,
19 container terminals, Ro/Ro structures including
20 parking garages necessary for intermodal freight
21 transfer, warehouses including refrigerated facilities,
22 lay-down areas, transit sheds, and other such facili-
23 ties);

24 (6) utilities necessary for safe operations (in-
25 cluding lighting, stormwater, and other such im-

1 provements that are incidental to a larger infrastruc-
2 ture project); or

3 (7) a combination of activities described above:

4 *Provided further*, That the Federal share of the costs for
5 which an expenditure is made under this heading shall be
6 up to 80 percent: *Provided further*, That for grants award-
7 ed under this heading, the minimum grant size shall be
8 \$1,000,000: *Provided further*, That for grant awards less
9 than \$10,000,000, the Secretary shall prioritize ports that
10 handled less than 10,000,000 short tons in 2017, as iden-
11 tified by the U.S. Army Corps of Engineers: *Provided fur-*
12 *ther*, That for grant awards less than \$10,000,000, the
13 Secretary may increase the Federal share of costs above
14 80 percent: *Provided further*, That not to exceed 2 percent
15 of the funds appropriated under this heading shall be
16 available for necessary costs of grant administration.

17 ADMINISTRATIVE PROVISIONS—MARITIME

18 ADMINISTRATION

19 SEC. 170. Notwithstanding any other provision of
20 this Act, in addition to any existing authority, the Mari-
21 time Administration is authorized to furnish utilities and
22 services and make necessary repairs in connection with
23 any lease, contract, or occupancy involving Government
24 property under control of the Maritime Administration:
25 *Provided*, That payments received therefor shall be cred-

1 ited to the appropriation charged with the cost thereof and
2 shall remain available until expended: *Provided further*,
3 That rental payments under any such lease, contract, or
4 occupancy for items other than such utilities, services, or
5 repairs shall be covered into the Treasury as miscellaneous
6 receipts.

7 PIPELINE AND HAZARDOUS MATERIALS SAFETY

8 ADMINISTRATION

9 OPERATIONAL EXPENSES

10 For necessary operational expenses of the Pipeline
11 and Hazardous Materials Safety Administration,
12 \$24,215,000, of which \$1,500,000 shall remain available
13 until September 30, 2022: *Provided*, That no later than
14 90 days after enactment of this Act, the Secretary of
15 Transportation shall initiate a rulemaking on automatic
16 and remote-controlled shut-off valves and hazardous liquid
17 pipeline facilities leak detection systems as required under
18 section 4 and section 8 of the Pipeline Safety, Regulatory
19 Certainty, and Job Creation Act of 2011 (Public Law
20 112–90), respectively, and shall issue a final rule no later
21 than one year after enactment of this Act.

22 HAZARDOUS MATERIALS SAFETY

23 For expenses necessary to discharge the hazardous
24 materials safety functions of the Pipeline and Hazardous
25 Materials Safety Administration, \$61,000,000, of which

1 \$11,000,000 shall remain available until September 30,
2 2022: *Provided*, That up to \$800,000 in fees collected
3 under 49 U.S.C. 5108(g) shall be deposited in the general
4 fund of the Treasury as offsetting receipts: *Provided fur-*
5 *ther*, That there may be credited to this appropriation, to
6 be available until expended, funds received from States,
7 counties, municipalities, other public authorities, and pri-
8 vate sources for expenses incurred for training, for reports
9 publication and dissemination, and for travel expenses in-
10 curred in performance of hazardous materials exemptions
11 and approvals functions.

12 PIPELINE SAFETY

13 (PIPELINE SAFETY FUND)

14 (OIL SPILL LIABILITY TRUST FUND)

15 For expenses necessary to carry out a pipeline safety
16 program, as authorized by 49 U.S.C. 60107, and to dis-
17 charge the pipeline program responsibilities of the Oil Pol-
18 lution Act of 1990, \$168,000,000, to remain available
19 until September 30, 2022, of which \$23,000,000 shall be
20 derived from the Oil Spill Liability Trust Fund; of which
21 \$137,000,000 shall be derived from the Pipeline Safety
22 Fund; and of which \$8,000,000 shall be derived from fees
23 collected under 49 U.S.C. 60302 and deposited in the Un-
24 derground Natural Gas Storage Facility Safety Account
25 for the purpose of carrying out 49 U.S.C. 60141: *Pro-*

1 *vided*, That not less than \$1,058,000 of the funds pro-
2 vided under this heading shall be for the One-Call State
3 grant program.

4 EMERGENCY PREPAREDNESS GRANTS

5 (EMERGENCY PREPAREDNESS FUND)

6 For expenses necessary to carry out the Emergency
7 Preparedness Grants program, not more than
8 \$28,318,000 shall remain available until September 30,
9 2022, from amounts made available by 49 U.S.C. 5116(h),
10 and 5128(b) and (c): *Provided*, That notwithstanding 49
11 U.S.C. 5116(h)(4), not more than 4 percent of the
12 amounts made available from this account shall be avail-
13 able to pay administrative costs: *Provided further*, That
14 notwithstanding 49 U.S.C. 5128(b) and (c) and the cur-
15 rent year obligation limitation, prior year recoveries recog-
16 nized in the current year shall be available to develop a
17 hazardous materials response training curriculum for
18 emergency responders, including response activities for the
19 transportation of crude oil, ethanol and other flammable
20 liquids by rail, consistent with National Fire Protection
21 Association standards, and to make such training avail-
22 able through an electronic format: *Provided further*, That
23 the prior year recoveries made available under this head-
24 ing shall also be available to carry out 49 U.S.C.
25 5116(a)(1)(C), 5116(h), 5116(i), and 5107(e).

1 OFFICE OF INSPECTOR GENERAL
2 SALARIES AND EXPENSES

3 For necessary expenses of the Office of Inspector
4 General to carry out the provisions of the Inspector Gen-
5 eral Act of 1978, as amended, \$94,600,000: *Provided*,
6 That the Inspector General shall have all necessary au-
7 thority, in carrying out the duties specified in the Inspec-
8 tor General Act, as amended (5 U.S.C. App. 3), to inves-
9 tigate allegations of fraud, including false statements to
10 the government (18 U.S.C. 1001), by any person or entity
11 that is subject to regulation by the Department of Trans-
12 portation.

13 GENERAL PROVISIONS—DEPARTMENT OF
14 TRANSPORTATION

15 SEC. 180. (a) During the current fiscal year, applica-
16 ble appropriations to the Department of Transportation
17 shall be available for maintenance and operation of air-
18 craft; hire of passenger motor vehicles and aircraft; pur-
19 chase of liability insurance for motor vehicles operating
20 in foreign countries on official department business; and
21 uniforms or allowances therefor, as authorized by law (5
22 U.S.C. 5901–5902).

23 (b) During the current fiscal year, applicable appro-
24 priations to the Department and its operating administra-
25 tions shall be available for the purchase, maintenance, op-

1 eration, and deployment of unmanned aircraft systems
2 that advance the Department's, or its operating adminis-
3 trations', missions.

4 (c) Any unmanned aircraft system purchased or pro-
5 cured by the Department prior to the enactment of this
6 Act shall be deemed authorized.

7 SEC. 181. Appropriations contained in this Act for
8 the Department of Transportation shall be available for
9 services as authorized by 5 U.S.C. 3109, but at rates for
10 individuals not to exceed the per diem rate equivalent to
11 the rate for an Executive Level IV.

12 SEC. 182. (a) No recipient of funds made available
13 in this Act shall disseminate personal information (as de-
14 fined in 18 U.S.C. 2725(3)) obtained by a State depart-
15 ment of motor vehicles in connection with a motor vehicle
16 record as defined in 18 U.S.C. 2725(1), except as provided
17 in 18 U.S.C. 2721 for a use permitted under 18 U.S.C.
18 2721.

19 (b) Notwithstanding subsection (a), the Secretary
20 shall not withhold funds provided in this Act for any
21 grantee if a State is in noncompliance with this provision.

22 SEC. 183. None of the funds in this Act shall be avail-
23 able for salaries and expenses of more than 125 political
24 and Presidential appointees in the Department of Trans-
25 portation: *Provided*, That none of the personnel covered

1 by this provision may be assigned on temporary detail out-
2 side the Department of Transportation.

3 SEC. 184. Funds received by the Federal Highway
4 Administration and Federal Railroad Administration from
5 States, counties, municipalities, other public authorities,
6 and private sources for expenses incurred for training may
7 be credited respectively to the Federal Highway Adminis-
8 tration’s “Federal-Aid Highways” account and to the Fed-
9 eral Railroad Administration’s “Safety and Operations”
10 account, except for State rail safety inspectors partici-
11 pating in training pursuant to 49 U.S.C. 20105.

12 SEC. 185. (a) None of the funds provided in this Act
13 to the Department of Transportation may be used to make
14 a loan, loan guarantee, line of credit, or discretionary
15 grant unless the Secretary of Transportation notifies the
16 House and Senate Committees on Appropriations not less
17 than 3 full business days before any project competitively
18 selected to receive any discretionary grant award, letter
19 of intent, loan commitment, loan guarantee commitment,
20 line of credit commitment, or full funding grant agreement
21 is announced by the Department or its modal administra-
22 tions: *Provided*, That the Secretary gives concurrent noti-
23 fication to the House and Senate Committees on Appro-
24 priations for any “quick release” of funds from the emer-
25 gency relief program: *Provided further*, That no notifica-

1 tion shall involve funds that are not available for obliga-
2 tion.

3 (b) In addition to the notification required in sub-
4 section (a), none of the funds made available in this Act
5 to the Department of Transportation may be used to make
6 a loan, loan guarantee, line of credit, cooperative agree-
7 ment or discretionary grant unless the Secretary of Trans-
8 portation provides the House and Senate Committees on
9 Appropriations a comprehensive list of all such loans, loan
10 guarantees, lines of credit, cooperative agreement or dis-
11 cretionary grants that will be announced not less the 3
12 full business days before such announcement: *Provided*,
13 That the Department shall provide the list required in this
14 subsection prior to the notification required in subsection
15 (a): *Provided further*, That the requirement to provide a
16 list in this subsection does not apply to any “quick re-
17 lease” of funds from the emergency relief program: *Pro-*
18 *vided further*, That no list shall involve funds that are not
19 available for obligation.

20 SEC. 186. Rebates, refunds, incentive payments,
21 minor fees and other funds received by the Department
22 of Transportation from travel management centers,
23 charge card programs, the subleasing of building space,
24 and miscellaneous sources are to be credited to appropria-
25 tions of the Department of Transportation and allocated

1 to elements of the Department of Transportation using
2 fair and equitable criteria and such funds shall be avail-
3 able until expended.

4 SEC. 187. Amounts made available in this or any
5 prior Act that the Secretary determines represent im-
6 proper payments by the Department of Transportation to
7 a third-party contractor under a financial assistance
8 award, which are recovered pursuant to law, shall be avail-
9 able—

10 (1) to reimburse the actual expenses incurred
11 by the Department of Transportation in recovering
12 improper payments: *Provided*, That amounts made
13 available in this Act shall be available until ex-
14 pended; and

15 (2) to pay contractors for services provided in
16 recovering improper payments or contractor support
17 in the implementation of the Improper Payments In-
18 formation Act of 2002, as amended by the Improper
19 Payments Elimination and Recovery Act of 2010
20 and Improper Payments Elimination and Recovery
21 Improvement Act of 2012, and Fraud Reduction and
22 Data Analytics Act of 2015: *Provided*, That amounts
23 in excess of that required for paragraphs (1) and
24 (2)—

1 (A) shall be credited to and merged with
2 the appropriation from which the improper pay-
3 ments were made, and shall be available for the
4 purposes and period for which such appropria-
5 tions are available: *Provided further*, That
6 where specific project or accounting information
7 associated with the improper payment or pay-
8 ments is not readily available, the Secretary
9 may credit an appropriate account, which shall
10 be available for the purposes and period associ-
11 ated with the account so credited; or

12 (B) if no such appropriation remains avail-
13 able, shall be deposited in the Treasury as mis-
14 cellaneous receipts: *Provided further*, That prior
15 to depositing such recovery in the Treasury, the
16 Secretary shall notify the House and Senate
17 Committees on Appropriations of the amount
18 and reasons for such transfer: *Provided further*,
19 That for purposes of this section, the term “im-
20 proper payments” has the same meaning as
21 that provided in section 2(e)(2) of Public Law
22 111–204.

23 SEC. 188. Notwithstanding any other provision of
24 law, if any funds provided in or limited by this Act are
25 subject to a reprogramming action that requires notice to

1 be provided to the House and Senate Committees on Ap-
2 propriations, transmission of said reprogramming notice
3 shall be provided solely to the House and Senate Commit-
4 tees on Appropriations, and said reprogramming action
5 shall be approved or denied solely by the House and Sen-
6 ate Committees on Appropriations: *Provided*, That the
7 Secretary of Transportation may provide notice to other
8 congressional committees of the action of the House and
9 Senate Committees on Appropriations on such reprogram-
10 ming but not sooner than 30 days following the date on
11 which the reprogramming action has been approved or de-
12 nied by the House and Senate Committees on Appropria-
13 tions.

14 SEC. 189. Funds appropriated in this Act to the
15 modal administrations may be obligated for the Office of
16 the Secretary for the costs related to assessments or reim-
17 bursable agreements only when such amounts are for the
18 costs of goods and services that are purchased to provide
19 a direct benefit to the applicable modal administration or
20 administrations.

21 SEC. 190. The Secretary of Transportation is author-
22 ized to carry out a program that establishes uniform
23 standards for developing and supporting agency transit
24 pass and transit benefits authorized under section 7905

1 of title 5, United States Code, including distribution of
2 transit benefits by various paper and electronic media.

3 SEC. 191. The Department of Transportation may
4 use funds provided by this Act, or any other Act, to assist
5 a contract under title 49 U.S.C. or title 23 U.S.C. utilizing
6 geographic, economic, or any other hiring preference not
7 otherwise authorized by law, or to amend a rule, regula-
8 tion, policy or other measure that forbids a recipient of
9 a Federal Highway Administration or Federal Transit Ad-
10 ministration grant from imposing such hiring preference
11 on a contract or construction project with which the De-
12 partment of Transportation is assisting, only if the grant
13 recipient certifies the following:

14 (1) that except with respect to apprentices or
15 trainees, a pool of readily available but unemployed
16 individuals possessing the knowledge, skill, and abil-
17 ity to perform the work that the contract requires
18 resides in the jurisdiction;

19 (2) that the grant recipient will include appro-
20 priate provisions in its bid document ensuring that
21 the contractor does not displace any of its existing
22 employees in order to satisfy such hiring preference;
23 and

24 (3) that any increase in the cost of labor, train-
25 ing, or delays resulting from the use of such hiring

1 preference does not delay or displace any transpor-
2 tation project in the applicable Statewide Transpor-
3 tation Improvement Program or Transportation Im-
4 provement Program.

5 SEC. 192. Section 502(b)(3) of the Railroad Revital-
6 ization and Regulatory Reform Act of 1976 (45 U.S.C.
7 822(b)(3)) is amended by striking “only during the 4-year
8 period beginning on the date of enactment of the Pas-
9 senger Rail Reform and Investment Act of 2015” and in-
10 serting “until September 30, 2020”.

11 SEC. 193. The Secretary of Transportation shall co-
12 ordinate with the Secretary of Homeland Security to en-
13 sure that best practices for Industrial Control Systems
14 Procurement are up-to-date and shall ensure that systems
15 procured with funds provided under this title were pro-
16 cured using such practices.

17 This title may be cited as the “Department of Trans-
18 portation Appropriations Act, 2020”.

1095

1 TITLE II
2 DEPARTMENT OF HOUSING AND URBAN
3 DEVELOPMENT
4 MANAGEMENT AND ADMINISTRATION
5 EXECUTIVE OFFICES

6 For necessary salaries and expenses for Executive Of-
7 fices, which shall be comprised of the offices of the Sec-
8 retary, Deputy Secretary, Adjudicatory Services, Congres-
9 sional and Intergovernmental Relations, Public Affairs,
10 Small and Disadvantaged Business Utilization, and the
11 Center for Faith-Based and Neighborhood Partnerships,
12 \$14,217,000, to remain available until September 30,
13 2021: *Provided*, That not to exceed \$25,000 of the amount
14 made available under this heading shall be available to the
15 Secretary for official reception and representation ex-
16 penses as the Secretary may determine.

17 ADMINISTRATIVE SUPPORT OFFICES

18 For necessary salaries and expenses for Administra-
19 tive Support Offices, \$563,378,000, to remain available
20 until September 30, 2021: *Provided*, That of the sums ap-
21 propriated under this heading—

22 (1) \$73,562,000 shall be available for the Office
23 of the Chief Financial Officer;

24 (2) \$103,916,000 shall be available for the Of-
25 fice of the General Counsel, of which not less than

1 \$18,700,000 shall be for the Departmental Enforce-
2 ment Center;

3 (3) \$206,849,000 shall be available for the Of-
4 fice of Administration;

5 (4) \$39,827,000 shall be available for the Office
6 of the Chief Human Capital Officer;

7 (5) \$57,861,000 shall be available for the Office
8 of Field Policy and Management;

9 (6) \$19,445,000 shall be available for the Office
10 of the Chief Procurement Officer;

11 (7) \$4,242,000 shall be available for the Office
12 of Departmental Equal Employment Opportunity;

13 and

14 (8) \$57,676,000 shall be available for the Office
15 of the Chief Information Officer:

16 *Provided further*, That funds provided under this heading
17 may be used for necessary administrative and non-admin-
18 istrative expenses of the Department of Housing and
19 Urban Development, not otherwise provided for, including
20 purchase of uniforms, or allowances therefor, as author-
21 ized by 5 U.S.C. 5901–5902; hire of passenger motor vehi-
22 cles; and services as authorized by 5 U.S.C. 3109: *Pro-*
23 *vided further*, That notwithstanding any other provision
24 of law, funds appropriated under this heading may be used
25 for advertising and promotional activities that directly

1 support program activities funded in this title: *Provided*
2 *further*, That the Secretary shall provide the House and
3 Senate Committees on Appropriations quarterly written
4 notification regarding the status of pending congressional
5 reports: *Provided further*, That the Secretary shall provide
6 in electronic form all signed reports required by Congress:
7 *Provided further*, That none of the funds made available
8 under this heading for the Office of the Chief Financial
9 Officer for the financial transformation initiative shall be
10 available for obligation until after the Secretary has pub-
11 lished all mitigation allocations made available under the
12 heading “Department of Housing and Urban Develop-
13 ment—Community Planning and Development—Communi-
14 ty Development Fund” in Public Law 115–123 and the
15 necessary administrative requirements pursuant to section
16 1102 of Public Law 116–20: *Provided further*, That only
17 after the terms and conditions of the previous proviso have
18 been met, not more than 10 percent of the funds made
19 available under this heading for the Office of the Chief
20 Financial Officer for the financial transformation initia-
21 tive may be obligated until the Secretary submits to the
22 House and Senate Committees on Appropriations, for ap-
23 proval, a plan for expenditure that includes the financial
24 and internal control capabilities to be delivered and the
25 mission benefits to be realized, key milestones to be met,

1 and the relationship between the proposed use of funds
2 made available under this heading and the projected total
3 cost and scope of the initiative.

4 PROGRAM OFFICES

5 For necessary salaries and expenses for Program Of-
6 fices, \$847,000,000, to remain available until September
7 30, 2021: *Provided*, That of the sums appropriated under
8 this heading—

9 (1) \$227,000,000 shall be available for the Of-
10 fice of Public and Indian Housing;

11 (2) \$124,000,000 shall be available for the Of-
12 fice of Community Planning and Development;

13 (3) \$384,000,000 shall be available for the Of-
14 fice of Housing, of which not less than \$12,300,000
15 shall be for the Office of Recapitalization;

16 (4) \$28,000,000 shall be available for the Office
17 of Policy Development and Research;

18 (5) \$75,000,000 shall be available for the Office
19 of Fair Housing and Equal Opportunity; and

20 (6) \$9,000,000 shall be available for the Office
21 of Lead Hazard Control and Healthy Homes.

22 WORKING CAPITAL FUND

23 (INCLUDING TRANSFER OF FUNDS)

24 For the working capital fund for the Department of
25 Housing and Urban Development (referred to in this para-

1 graph as the “Fund”), pursuant, in part, to section 7(f)
2 of the Department of Housing and Urban Development
3 Act (42 U.S.C. 3535(f)), amounts transferred, including
4 reimbursements pursuant to section 7(f), to the Fund
5 under this heading shall be available only for Federal
6 shared services used by offices and agencies of the Depart-
7 ment, and for any such portion of any office or agency’s
8 printing, records management, space renovation, fur-
9 niture, or supply services the Secretary has determined
10 shall be provided through the Fund, and the operational
11 expenses of the Fund: *Provided*, That amounts within the
12 Fund shall not be available to provide services not specifi-
13 cally authorized under this heading: *Provided further*,
14 That upon a determination by the Secretary that any
15 other service (or portion thereof) authorized under this
16 heading shall be provided through the Fund, amounts
17 made available in this title for salaries and expenses under
18 the headings “Executive Offices”, “Administrative Sup-
19 port Offices”, “Program Offices”, and “Government Na-
20 tional Mortgage Association”, for such services shall be
21 transferred to the Fund, to remain available until ex-
22 pended: *Provided further*, That the Secretary shall notify
23 the House and Senate Committees on Appropriations of
24 its plans for executing such transfers at least fifteen (15)
25 days in advance of such transfers: *Provided further*, That

1 the Secretary may transfer not to exceed an additional
2 \$5,000,000, in aggregate, from all such appropriations, to
3 be merged with the Fund and to remain available until
4 expended for any purpose under this heading.

5 PUBLIC AND INDIAN HOUSING

6 TENANT-BASED RENTAL ASSISTANCE

7 For activities and assistance for the provision of ten-
8 ant-based rental assistance authorized under the United
9 States Housing Act of 1937, as amended (42 U.S.C. 1437
10 et seq.) (“the Act” herein), not otherwise provided for,
11 \$19,874,050,000, to remain available until expended, shall
12 be available on October 1, 2019 (in addition to the
13 \$4,000,000,000 previously appropriated under this head-
14 ing that shall be available on October 1, 2019), and
15 \$4,000,000,000, to remain available until expended, shall
16 be available on October 1, 2020: *Provided*, That the
17 amounts made available under this heading are provided
18 as follows:

19 (1) \$21,502,000,000 shall be available for re-
20 newals of expiring section 8 tenant-based annual
21 contributions contracts (including renewals of en-
22 hanced vouchers under any provision of law author-
23 izing such assistance under section 8(t) of the Act)
24 and including renewal of other special purpose incre-
25 mental vouchers: *Provided*, That notwithstanding

1 any other provision of law, from amounts provided
2 under this paragraph and any carryover, the Sec-
3 retary for the calendar year 2020 funding cycle shall
4 provide renewal funding for each public housing
5 agency based on validated voucher management sys-
6 tem (VMS) leasing and cost data for the prior cal-
7 endar year and by applying an inflation factor as es-
8 tablished by the Secretary, by notice published in
9 the Federal Register, and by making any necessary
10 adjustments for the costs associated with the first-
11 time renewal of vouchers under this paragraph in-
12 cluding tenant protection and Choice Neighborhoods
13 vouchers: *Provided further*, That none of the funds
14 provided under this paragraph may be used to fund
15 a total number of unit months under lease which ex-
16 ceeds a public housing agency's authorized level of
17 units under contract, except for public housing agen-
18 cies participating in the MTW demonstration, which
19 are instead governed by the terms and conditions of
20 their MTW agreements: *Provided further*, That the
21 Secretary shall, to the extent necessary to stay with-
22 in the amount specified under this paragraph (ex-
23 cept as otherwise modified under this paragraph),
24 prorate each public housing agency's allocation oth-
25 erwise established pursuant to this paragraph: *Pro-*

1 *vided further*, That except as provided in the fol-
2 lowing provisos, the entire amount specified under
3 this paragraph (except as otherwise modified under
4 this paragraph) shall be obligated to the public hous-
5 ing agencies based on the allocation and pro rata
6 method described above, and the Secretary shall no-
7 tify public housing agencies of their annual budget
8 by the latter of 60 days after enactment of this Act
9 or March 1, 2020: *Provided further*, That the Sec-
10 retary may extend the notification period with the
11 prior written approval of the House and Senate
12 Committees on Appropriations: *Provided further*,
13 That public housing agencies participating in the
14 MTW demonstration shall be funded pursuant to
15 their MTW agreements and shall be subject to the
16 same pro rata adjustments under the previous pro-
17 visos: *Provided further*, That the Secretary may off-
18 set public housing agencies' calendar year 2020 allo-
19 cations based on the excess amounts of public hous-
20 ing agencies' net restricted assets accounts, includ-
21 ing HUD-held programmatic reserves (in accordance
22 with VMS data in calendar year 2019 that is
23 verifiable and complete), as determined by the Sec-
24 retary: *Provided further*, That public housing agen-
25 cies participating in the MTW demonstration shall

1 also be subject to the offset, as determined by the
2 Secretary, excluding amounts subject to the single
3 fund budget authority provisions of their MTW
4 agreements, from the agencies' calendar year 2020
5 MTW funding allocation: *Provided further*, That the
6 Secretary shall use any offset referred to in the pre-
7 vious two provisos throughout the calendar year to
8 prevent the termination of rental assistance for fam-
9 ilies as the result of insufficient funding, as deter-
10 mined by the Secretary, and to avoid or reduce the
11 proration of renewal funding allocations: *Provided*
12 *further*, That up to \$100,000,000 shall be available
13 only: (1) for adjustments in the allocations for public
14 housing agencies, after application for an adjust-
15 ment by a public housing agency that experienced a
16 significant increase, as determined by the Secretary,
17 in renewal costs of vouchers resulting from unfore-
18 seen circumstances or from portability under section
19 8(r) of the Act; (2) for vouchers that were not in use
20 during the previous 12-month period in order to be
21 available to meet a commitment pursuant to section
22 8(o)(13) of the Act; (3) for adjustments for costs as-
23 sociated with HUD–Veterans Affairs Supportive
24 Housing (HUD–VASH) vouchers; (4) for public
25 housing agencies that despite taking reasonable cost

1 savings measures, as determined by the Secretary,
2 would otherwise be required to terminate rental as-
3 sistance for families as a result of insufficient fund-
4 ing; (5) for adjustments in the allocations for public
5 housing agencies that (i) are leasing a lower-than-
6 average percentage of their authorized vouchers, (ii)
7 have low amounts of budget authority in their net
8 restricted assets accounts and HUD-held pro-
9 grammatic reserves, relative to other agencies, and
10 (iii) are not participating in the Moving to Work
11 demonstration, to enable such agencies to lease more
12 vouchers; and (6) for public housing agencies that
13 have experienced increased costs or loss of units in
14 an area for which the President declared a disaster
15 under title IV of the Robert T. Stafford Disaster
16 Relief and Emergency Assistance Act (42 U.S.C.
17 5170 et seq.): *Provided further*, That the Secretary
18 shall allocate amounts under the previous proviso
19 based on need, as determined by the Secretary;

20 (2) \$75,000,000 shall be for section 8 rental as-
21 sistance for relocation and replacement of housing
22 units that are demolished or disposed of pursuant to
23 section 18 of the Act, conversion of section 23
24 projects to assistance under section 8, the family
25 unification program under section 8(x) of the Act,

1 relocation of witnesses in connection with efforts to
2 combat crime in public and assisted housing pursu-
3 ant to a request from a law enforcement or prosecu-
4 tion agency, enhanced vouchers under any provision
5 of law authorizing such assistance under section 8(t)
6 of the Act, Choice Neighborhood vouchers, manda-
7 tory and voluntary conversions, and tenant protec-
8 tion assistance including replacement and relocation
9 assistance or for project-based assistance to prevent
10 the displacement of unassisted elderly tenants cur-
11 rently residing in section 202 properties financed be-
12 tween 1959 and 1974 that are refinanced pursuant
13 to Public Law 106–569, as amended, or under the
14 authority as provided under this Act: *Provided*, That
15 when a public housing development is submitted for
16 demolition or disposition under section 18 of the
17 Act, the Secretary may provide section 8 rental as-
18 sistance when the units pose an imminent health
19 and safety risk to residents: *Provided further*, That
20 the Secretary may only provide replacement vouch-
21 ers for units that were occupied within the previous
22 24 months that cease to be available as assisted
23 housing, subject only to the availability of funds:
24 *Provided further*, That of the amounts made avail-
25 able under this paragraph, up to \$5,000,000 may be

1 available to provide tenant protection assistance, not
2 otherwise provided under this paragraph, to resi-
3 dents residing in low vacancy areas and who may
4 have to pay rents greater than 30 percent of house-
5 hold income, as the result of: (A) the maturity of a
6 HUD-insured, HUD-held or section 202 loan that
7 requires the permission of the Secretary prior to
8 loan prepayment; (B) the expiration of a rental as-
9 sistance contract for which the tenants are not eligi-
10 ble for enhanced voucher or tenant protection assist-
11 ance under existing law; or (C) the expiration of af-
12 fordability restrictions accompanying a mortgage or
13 preservation program administered by the Secretary:
14 *Provided further*, That such tenant protection assist-
15 ance made available under the previous proviso may
16 be provided under the authority of section 8(t) or
17 section 8(o)(13) of the United States Housing Act
18 of 1937 (42 U.S.C. 1437f(t)): *Provided further*, That
19 the Secretary shall issue guidance to implement the
20 previous provisos, including, but not limited to, re-
21 quirements for defining eligible at-risk households
22 within 60 days of the enactment of this Act: *Pro-*
23 *vided further*, That any tenant protection voucher
24 made available from amounts under this paragraph
25 shall not be reissued by any public housing agency,

1 except the replacement vouchers as defined by the
2 Secretary by notice, when the initial family that re-
3 ceived any such voucher no longer receives such
4 voucher, and the authority for any public housing
5 agency to issue any such voucher shall cease to exist:
6 *Provided further*, That the Secretary may provide
7 section 8 rental assistance from amounts made
8 available under this paragraph for units assisted
9 under a project-based subsidy contract funded under
10 the “Project-Based Rental Assistance” heading
11 under this title where the owner has received a No-
12 tice of Default and the units pose an imminent
13 health and safety risk to residents: *Provided further*,
14 That to the extent that the Secretary determines
15 that such units are not feasible for continued rental
16 assistance payments or transfer of the subsidy con-
17 tract associated with such units to another project
18 or projects and owner or owners, any remaining
19 amounts associated with such units under such con-
20 tract shall be recaptured and used to reimburse
21 amounts used under this paragraph for rental assist-
22 ance under the preceding proviso;

23 (3) \$1,977,000,000 shall be for administrative
24 and other expenses of public housing agencies in ad-
25 ministering the section 8 tenant-based rental assist-

1 ance program, of which up to \$30,000,000 shall be
2 available to the Secretary to allocate to public hous-
3 ing agencies that need additional funds to admin-
4 ister their section 8 programs, including fees associ-
5 ated with section 8 tenant protection rental assist-
6 ance, the administration of disaster related vouchers,
7 HUD–VASH vouchers, and other special purpose in-
8 cremental vouchers: *Provided*, That no less than
9 \$1,947,000,000 of the amount provided in this para-
10 graph shall be allocated to public housing agencies
11 for the calendar year 2020 funding cycle based on
12 section 8(q) of the Act (and related Appropriation
13 Act provisions) as in effect immediately before the
14 enactment of the Quality Housing and Work Re-
15 sponsibility Act of 1998 (Public Law 105–276): *Pro-*
16 *vided further*, That if the amounts made available
17 under this paragraph are insufficient to pay the
18 amounts determined under the previous proviso, the
19 Secretary may decrease the amounts allocated to
20 agencies by a uniform percentage applicable to all
21 agencies receiving funding under this paragraph or
22 may, to the extent necessary to provide full payment
23 of amounts determined under the previous proviso,
24 utilize unobligated balances, including recaptures
25 and carryovers, remaining from funds appropriated

1 to the Department of Housing and Urban Develop-
2 ment under this heading from prior fiscal years, ex-
3 cluding special purpose vouchers, notwithstanding
4 the purposes for which such amounts were appro-
5 priated: *Provided further*, That all public housing
6 agencies participating in the MTW demonstration
7 shall be funded pursuant to their MTW agreements,
8 and shall be subject to the same uniform percentage
9 decrease as under the previous proviso: *Provided fur-*
10 *ther*, That amounts provided under this paragraph
11 shall be only for activities related to the provision of
12 tenant-based rental assistance authorized under sec-
13 tion 8, including related development activities;

14 (4) \$229,050,000 for the renewal of tenant-
15 based assistance contracts under section 811 of the
16 Cranston-Gonzalez National Affordable Housing Act
17 (42 U.S.C. 8013), including necessary administra-
18 tive expenses: *Provided*, That administrative and
19 other expenses of public housing agencies in admin-
20 istering the special purpose vouchers in this para-
21 graph shall be funded under the same terms and be
22 subject to the same pro rata reduction as the per-
23 cent decrease for administrative and other expenses
24 to public housing agencies under paragraph (3) of
25 this heading: *Provided further*, That upon turnover,

1 section 811 special purpose vouchers funded under
2 this heading in this or prior Acts, or under any
3 other heading in prior Acts, shall be provided to
4 non-elderly persons with disabilities;

5 (5) \$1,000,000 shall be for rental assistance
6 and associated administrative fees for Tribal HUD–
7 VASH to serve Native American veterans that are
8 homeless or at-risk of homelessness living on or near
9 a reservation or other Indian areas: *Provided*, That
10 such amount shall be made available for renewal
11 grants to recipients that received assistance under
12 prior Acts under the Tribal HUD–VASH program:
13 *Provided further*, That the Secretary shall be author-
14 ized to specify criteria for renewal grants, including
15 data on the utilization of assistance reported by
16 grant recipients: *Provided further*, That such assist-
17 ance shall be administered in accordance with pro-
18 gram requirements under the Native American
19 Housing Assistance and Self-Determination Act of
20 1996 and modeled after the HUD–VASH program:
21 *Provided further*, That the Secretary shall be author-
22 ized to waive, or specify alternative requirements for
23 any provision of any statute or regulation that the
24 Secretary administers in connection with the use of
25 funds made available under this paragraph (except

1 for requirements related to fair housing, non-
2 discrimination, labor standards, and the environ-
3 ment), upon a finding by the Secretary that any
4 such waivers or alternative requirements are nec-
5 essary for the effective delivery and administration
6 of such assistance: *Provided further*, That grant re-
7 cipients shall report to the Secretary on utilization
8 of such rental assistance and other program data, as
9 prescribed by the Secretary: *Provided further*, That
10 the Secretary may reallocate, as determined by the
11 Secretary, amounts returned or recaptured from
12 awards under prior Acts;

13 (6) \$40,000,000 for incremental rental voucher
14 assistance for use through a supported housing pro-
15 gram administered in conjunction with the Depart-
16 ment of Veterans Affairs as authorized under section
17 8(o)(19) of the United States Housing Act of 1937:
18 *Provided*, That the Secretary of Housing and Urban
19 Development shall make such funding available, not-
20 withstanding section 203 (competition provision) of
21 this title, to public housing agencies that partner
22 with eligible VA Medical Centers or other entities as
23 designated by the Secretary of the Department of
24 Veterans Affairs, based on geographical need for
25 such assistance as identified by the Secretary of the

1 Department of Veterans Affairs, public housing
2 agency administrative performance, and other fac-
3 tors as specified by the Secretary of Housing and
4 Urban Development in consultation with the Sec-
5 retary of the Department of Veterans Affairs: *Pro-*
6 *vided further*, That the Secretary of Housing and
7 Urban Development may waive, or specify alter-
8 native requirements for (in consultation with the
9 Secretary of the Department of Veterans Affairs),
10 any provision of any statute or regulation that the
11 Secretary of Housing and Urban Development ad-
12 ministers in connection with the use of funds made
13 available under this paragraph (except for require-
14 ments related to fair housing, nondiscrimination,
15 labor standards, and the environment), upon a find-
16 ing by the Secretary that any such waivers or alter-
17 native requirements are necessary for the effective
18 delivery and administration of such voucher assist-
19 ance: *Provided further*, That assistance made avail-
20 able under this paragraph shall continue to remain
21 available for homeless veterans upon turn-over;

22 (7) \$25,000,000 shall be made available for the
23 family unification program as authorized under sec-
24 tion 8(x) of the Act: *Provided*, That the amounts

1 made available under this paragraph are provided as
2 follows:

3 (A) \$5,000,000 shall be for new incre-
4 mental voucher assistance: *Provided*, That the
5 assistance made available under this subpara-
6 graph shall continue to remain available for
7 family unification upon turnover; and

8 (B) \$20,000,000 shall be for new incre-
9 mental voucher assistance to assist eligible
10 youth as defined by such section 8(x)(2)(B):
11 *Provided*, That assistance made available under
12 this subparagraph shall continue to remain
13 available for such eligible youth upon turnover:
14 *Provided further*, That of the total amount
15 made available under this subparagraph, up to
16 \$10,000,000 shall be available on a noncompeti-
17 tive basis to public housing agencies that part-
18 ner with public child welfare agencies to iden-
19 tify such eligible youth, that request such as-
20 sistance to timely assist such eligible youth, and
21 that meet any other criteria as specified by the
22 Secretary: *Provided further*, That the Secretary
23 shall review utilization of the assistance made
24 available under the previous proviso, at an in-
25 terval to be determined by the Secretary, and

1 unutilized voucher assistance that is no longer
2 needed shall be recaptured by the Secretary and
3 reallocated pursuant to the previous proviso:

4 *Provided further*, That for any public housing agency
5 administering voucher assistance appropriated in a
6 prior Act under the family unification program, or
7 made available and competitively selected under this
8 paragraph, that determines that it no longer has an
9 identified need for such assistance upon turnover,
10 such agency shall notify the Secretary, and the Sec-
11 retary shall recapture such assistance from the agen-
12 cy and reallocate it to any other public housing
13 agency or agencies based on need for voucher assist-
14 ance in connection with such specified program or
15 eligible youth, as applicable;

16 (8) \$25,000,000 shall be made available for the
17 mobility demonstration authorized under section 235
18 of division G of the Consolidated Appropriations Act,
19 2019 (42 U.S.C. 1437f note; Public Law 116–6;
20 133 Stat. 465), of which up to \$5,000,000 shall be
21 for new incremental voucher assistance and the re-
22 mainder of which shall be available to provide mobil-
23 ity-related services to families with children, includ-
24 ing pre- and post-move counseling and rent deposits,
25 and to offset the administrative costs of operating

1 the mobility demonstration: *Provided*, That incre-
2 mental voucher assistance made available under this
3 paragraph shall be for families with children partici-
4 pating in the mobility demonstration and shall con-
5 tinue to remain available for families with children
6 upon turnover: *Provided further*, That for any public
7 housing agency administering voucher assistance
8 under the mobility demonstration that determines
9 that it no longer has an identified need for such as-
10 sistance upon turnover, such agency shall notify the
11 Secretary, and the Secretary shall recapture such as-
12 sistance from the agency and reallocate it to any
13 other public housing agency or agencies based on
14 need for voucher assistance in connection with such
15 demonstration; and

16 (9) the Secretary shall separately track all spe-
17 cial purpose vouchers funded under this heading.

18 HOUSING CERTIFICATE FUND

19 (INCLUDING RESCISSIONS)

20 Unobligated balances, including recaptures and car-
21 ryover, remaining from funds appropriated to the Depart-
22 ment of Housing and Urban Development under this
23 heading, the heading “Annual Contributions for Assisted
24 Housing” and the heading “Project-Based Rental Assist-
25 ance”, for fiscal year 2020 and prior years may be used

1 for renewal of or amendments to section 8 project-based
2 contracts and for performance-based contract administra-
3 tors, notwithstanding the purposes for which such funds
4 were appropriated: *Provided*, That any obligated balances
5 of contract authority from fiscal year 1974 and prior that
6 have been terminated shall be rescinded: *Provided further*,
7 That amounts heretofore recaptured, or recaptured during
8 the current fiscal year, from section 8 project-based con-
9 tracts from source years fiscal year 1975 through fiscal
10 year 1987 are hereby rescinded, and an amount of addi-
11 tional new budget authority, equivalent to the amount re-
12 scinded is hereby appropriated, to remain available until
13 expended, for the purposes set forth under this heading,
14 in addition to amounts otherwise available.

15 PUBLIC HOUSING CAPITAL FUND

16 For the Public Housing Capital Fund Program to
17 carry out capital and management activities for public
18 housing agencies, as authorized under section 9 of the
19 United States Housing Act of 1937 (42 U.S.C. 1437g)
20 (the “Act”) \$2,869,893,812, to remain available until
21 September 30, 2023: *Provided*, That notwithstanding any
22 other provision of law or regulation, during fiscal year
23 2020, the Secretary of Housing and Urban Development
24 may not delegate to any Department official other than
25 the Deputy Secretary and the Assistant Secretary for

1 Public and Indian Housing any authority under paragraph
2 (2) of section 9(j) regarding the extension of the time peri-
3 ods under such section: *Provided further*, That for pur-
4 poses of such section 9(j), the term “obligate” means, with
5 respect to amounts, that the amounts are subject to a
6 binding agreement that will result in outlays, immediately
7 or in the future: *Provided further*, That of the total
8 amount made available under this heading, up to
9 \$14,000,000 shall be to support ongoing public housing
10 financial and physical assessment activities: *Provided fur-*
11 *ther*, That of the total amount made available under this
12 heading, up to \$1,000,000 shall be to support the costs
13 of administrative and judicial receiverships: *Provided fur-*
14 *ther*, That of the total amount provided under this head-
15 ing, not to exceed \$64,650,000 shall be available for the
16 Secretary to make grants, notwithstanding section 203 of
17 this Act, to public housing agencies for emergency capital
18 needs including safety and security measures necessary to
19 address crime and drug-related activity as well as needs
20 resulting from unforeseen or unpreventable emergencies
21 and natural disasters excluding Presidentially declared
22 emergencies and natural disasters under the Robert T.
23 Stafford Disaster Relief and Emergency Act (42 U.S.C.
24 5121 et seq.) occurring in fiscal year 2020, of which
25 \$34,650,000 shall be available for public housing agencies

1 under administrative and judicial receiverships or under
2 the control of a Federal monitor: *Provided further*, That
3 of the amount made available under the previous proviso,
4 not less than \$10,000,000 shall be for safety and security
5 measures: *Provided further*, That in addition to the
6 amount in the previous proviso for such safety and secu-
7 rity measures, any amounts that remain available, after
8 all applications received on or before September 30, 2021,
9 for emergency capital needs have been processed, shall be
10 allocated to public housing agencies for such safety and
11 security measures: *Provided further*, That for funds pro-
12 vided under this heading, the limitation in section 9(g)(1)
13 of the Act shall be 25 percent: *Provided further*, That the
14 Secretary may waive the limitation in the previous proviso
15 to allow public housing agencies to fund activities author-
16 ized under section 9(e)(1)(C) of the Act: *Provided further*,
17 That the Secretary shall notify public housing agencies re-
18 questing waivers under the previous proviso if the request
19 is approved or denied within 14 days of submitting the
20 request: *Provided further*, That from the funds made avail-
21 able under this heading, the Secretary shall provide bonus
22 awards in fiscal year 2020 to public housing agencies that
23 are designated high performers: *Provided further*, That the
24 Department shall notify public housing agencies of their
25 formula allocation within 60 days of enactment of this Act:

1 *Provided further*, That of the total amount provided under
2 this heading, \$45,000,000 shall be available for competi-
3 tive grants to public housing agencies to evaluate and re-
4 duce lead-based paint hazards and other housing-related
5 hazards including carbon monoxide and mold in public
6 housing: *Provided further*, That of the amounts available
7 under the previous proviso, no less than \$25,000,000 shall
8 be for competitive grants to public housing agencies to
9 evaluate and reduce lead-based paint hazards in public
10 housing by carrying out the activities of risk assessments,
11 abatement, and interim controls (as those terms are de-
12 fined in section 1004 of the Residential Lead-Based Paint
13 Hazard Reduction Act of 1992 (42 U.S.C. 4851b)): *Pro-*
14 *vided further*, That for purposes of environmental review,
15 a grant under the previous two provisos shall be consid-
16 ered funds for projects or activities under title I of the
17 United States Housing Act of 1937 (42 U.S.C. 1437 et
18 seq.) for purposes of section 26 of such Act (42 U.S.C.
19 1437x) and shall be subject to the regulations imple-
20 menting such section: *Provided further*, That for funds
21 made available under the previous three provisos, the Sec-
22 retary shall allow a PHA to apply for up to 20 percent
23 of the funds made available under the first two provisos
24 and prioritize need when awarding grants.

1 PUBLIC HOUSING OPERATING FUND

2 For 2020 payments to public housing agencies for the
3 operation and management of public housing, as author-
4 ized by section 9(e) of the United States Housing Act of
5 1937 (42 U.S.C. 1437g(e)), \$4,549,000,000, to remain
6 available until September 30, 2021: *Provided*, That of the
7 total amount available under this heading, \$25,000,000
8 shall be available to the Secretary to allocate pursuant to
9 a need-based application process notwithstanding section
10 203 of this title and not subject to the Operating Fund
11 formula at part 990 of title 24, Code of Federal Regula-
12 tions to public housing agencies that experience financial
13 insolvency, as determined by the Secretary: *Provided fur-*
14 *ther*, That after all such insolvency needs are met, the Sec-
15 retary may distribute any remaining funds to all public
16 housing agencies on a pro-rata basis pursuant to the Oper-
17 ating Fund formula at part 990 of title 24, Code of Fed-
18 eral Regulations.

19 CHOICE NEIGHBORHOODS INITIATIVE

20 For competitive grants under the Choice Neighbor-
21 hoods Initiative (subject to section 24 of the United States
22 Housing Act of 1937 (42 U.S.C. 1437v), unless otherwise
23 specified under this heading), for transformation, rehabili-
24 tation, and replacement housing needs of both public and
25 HUD-assisted housing and to transform neighborhoods of

1 poverty into functioning, sustainable mixed income neigh-
2 borhoods with appropriate services, schools, public assets,
3 transportation and access to jobs, \$175,000,000, to re-
4 main available until September 30, 2022: *Provided*, That
5 grant funds may be used for resident and community serv-
6 ices, community development, and affordable housing
7 needs in the community, and for conversion of vacant or
8 foreclosed properties to affordable housing: *Provided fur-*
9 *ther*, That the use of funds made available under this
10 heading shall not be deemed to be public housing notwith-
11 standing section 3(b)(1) of such Act: *Provided further*,
12 That grantees shall commit to an additional period of af-
13 fordability determined by the Secretary of not fewer than
14 20 years: *Provided further*, That grantees shall provide a
15 match in State, local, other Federal or private funds: *Pro-*
16 *vided further*, That grantees may include local govern-
17 ments, tribal entities, public housing authorities, and non-
18 profits: *Provided further*, That for-profit developers may
19 apply jointly with a public entity: *Provided further*, That
20 for purposes of environmental review, a grantee shall be
21 treated as a public housing agency under section 26 of
22 the United States Housing Act of 1937 (42 U.S.C.
23 1437x), and grants under this heading shall be subject
24 to the regulations issued by the Secretary to implement
25 such section: *Provided further*, That of the amount pro-

1 vided, not less than \$87,500,000 shall be awarded to pub-
2 lic housing agencies: *Provided further*, That such grantees
3 shall create partnerships with other local organizations in-
4 cluding assisted housing owners, service agencies, and
5 resident organizations: *Provided further*, That the Sec-
6 retary shall consult with the Secretaries of Education,
7 Labor, Transportation, Health and Human Services, Agri-
8 culture, and Commerce, the Attorney General, and the Ad-
9 ministrator of the Environmental Protection Agency to co-
10 ordinate and leverage other appropriate Federal resources:
11 *Provided further*, That no more than \$5,000,000 of funds
12 made available under this heading may be provided as
13 grants to undertake comprehensive local planning with
14 input from residents and the community: *Provided further*,
15 That unobligated balances, including recaptures, remain-
16 ing from funds appropriated under the heading “Revital-
17 ization of Severely Distressed Public Housing (HOPE
18 VI)” in fiscal year 2011 and prior fiscal years may be used
19 for purposes under this heading, notwithstanding the pur-
20 poses for which such amounts were appropriated: *Provided*
21 *further*, That the Secretary shall issue the Notice of Fund-
22 ing Availability for funds made available under this head-
23 ing no later than 90 days after enactment of this Act: *Pro-*
24 *vided further*, That the Secretary shall make grant awards
25 no later than one year from the date of enactment of this

1 Act in such amounts that the Secretary determines: *Pro-*
2 *vided further*, That notwithstanding section 24(o) of the
3 United States Housing Act of 1937 (42 U.S.C. 1437v(o)),
4 the Secretary may, until September 30, 2023, obligate any
5 available unobligated balances made available under this
6 heading in this, or any prior Act.

7 SELF-SUFFICIENCY PROGRAMS

8 For activities and assistance related to Self-Suffi-
9 ciency Programs, to remain available until September 30,
10 2023, \$130,000,000: *Provided*, That the amounts made
11 available under this heading are provided as follows:

12 (1) \$80,000,000 shall be for the Family Self-
13 Sufficiency program to support family self-suffi-
14 ciency coordinators under section 23 of the United
15 States Housing Act of 1937 (42 U.S.C. 1437u), to
16 promote the development of local strategies to co-
17 ordinate the use of assistance under sections 8 and
18 9 of such Act with public and private resources, and
19 enable eligible families to achieve economic inde-
20 pendence and self-sufficiency: *Provided*, That the
21 Secretary may, by Federal Register notice, waive or
22 specify alternative requirements under subsections
23 (b)(3), (b)(4), (b)(5), or (c)(1) of section 23 of such
24 Act in order to facilitate the operation of a unified
25 self-sufficiency program for individuals receiving as-

1 sistance under different provisions of the Act, as de-
2 termined by the Secretary: *Provided further*, That
3 owners of a privately owned multifamily property
4 with a section 8 contract may voluntarily make a
5 Family Self-Sufficiency program available to the as-
6 sisted tenants of such property in accordance with
7 procedures established by the Secretary: *Provided*
8 *further*, That such procedures established pursuant
9 to the previous proviso shall permit participating
10 tenants to accrue escrow funds in accordance with
11 section 23(d)(2) and shall allow owners to use fund-
12 ing from residual receipt accounts to hire coordina-
13 tors for their own Family Self-Sufficiency program;

14 (2) \$35,000,000 shall be for the Resident Op-
15 portunity and Self-Sufficiency program to provide
16 for supportive services, service coordinators, and
17 congregate services as authorized by section 34 of
18 the United States Housing Act of 1937 (42 U.S.C.
19 1437z-6) and the Native American Housing Assist-
20 ance and Self-Determination Act of 1996 (25 U.S.C.
21 4101 et seq.); and

22 (3) \$15,000,000 shall be for a Jobs-Plus initia-
23 tive, modeled after the Jobs-Plus demonstration:
24 *Provided*, That funding provided under this para-
25 graph shall be available for competitive grants to

1 partnerships between public housing authorities,
2 local workforce investment boards established under
3 section 107 of the Workforce Innovation and Oppor-
4 tunity Act of 2014 (29 U.S.C. 3122), and other
5 agencies and organizations that provide support to
6 help public housing residents obtain employment and
7 increase earnings: *Provided further*, That applicants
8 must demonstrate the ability to provide services to
9 residents, partner with workforce investment boards,
10 and leverage service dollars: *Provided further*, That
11 the Secretary may allow public housing agencies to
12 request exemptions from rent and income limitation
13 requirements under sections 3 and 6 of the United
14 States Housing Act of 1937 (42 U.S.C. 1437a,
15 1437d), as necessary to implement the Jobs-Plus
16 program, on such terms and conditions as the Sec-
17 retary may approve upon a finding by the Secretary
18 that any such waivers or alternative requirements
19 are necessary for the effective implementation of the
20 Jobs-Plus initiative as a voluntary program for resi-
21 dents: *Provided further*, That the Secretary shall
22 publish by notice in the Federal Register any waiv-
23 ers or alternative requirements pursuant to the pre-
24 ceding proviso no later than 10 days before the ef-
25 fective date of such notice.

1 NATIVE AMERICAN PROGRAMS
2 (INCLUDING TRANSFER OF FUNDS)

3 For activities and assistance authorized under title
4 I of the Native American Housing Assistance and Self-
5 Determination Act of 1996 (NAHASDA) (25 U.S.C. 4111
6 et seq.), title I of the Housing and Community Develop-
7 ment Act of 1974 with respect to Indian tribes (42 U.S.C.
8 5306(a)(1)), and related training and technical assistance,
9 \$825,000,000, to remain available until September 30,
10 2024, unless otherwise specified: *Provided*, That the
11 amounts made available under this heading are provided
12 as follows:

13 (1) \$646,000,000 shall be available for the Na-
14 tive American Housing Block Grants program, as
15 authorized under title I of NAHASDA: *Provided*,
16 That, notwithstanding NAHASDA, to determine the
17 amount of the allocation under title I of such Act for
18 each Indian tribe, the Secretary shall apply the for-
19 mula under section 302 of such Act with the need
20 component based on single-race census data and
21 with the need component based on multi-race census
22 data, and the amount of the allocation for each In-
23 dian tribe shall be the greater of the two resulting
24 allocation amounts: *Provided further*, That the De-
25 partment will notify grantees of their formula alloca-

1 tion within 60 days of the date of enactment of this
2 Act;

3 (2) \$2,000,000 shall be available for the cost of
4 guaranteed notes and other obligations, as author-
5 ized by title VI of NAHASDA: *Provided*, That such
6 costs, including the costs of modifying such notes
7 and other obligations, shall be as defined in section
8 502 of the Congressional Budget Act of 1974, as
9 amended: *Provided further*, That these funds are
10 available to subsidize the total principal amount of
11 any notes and other obligations, any part of which
12 is to be guaranteed, not to exceed \$32,000,000;

13 (3) \$100,000,000 shall be available for competi-
14 tive grants under the Native American Housing
15 Block Grants program, as authorized under title I of
16 NAHASDA: *Provided*, That the Secretary shall obli-
17 gate this additional amount for competitive grants to
18 eligible recipients authorized under NAHASDA that
19 apply for funds: *Provided further*, That in awarding
20 this additional amount, the Secretary shall consider
21 need and administrative capacity, and shall give pri-
22 ority to projects that will spur construction and re-
23 habilitation: *Provided further*, That a grant funded
24 pursuant to this paragraph shall be not greater than
25 \$10,000,000: *Provided further*, That up to 1 percent

1 of this additional amount may be transferred, in ag-
2 gregate, to “Program Offices—Public and Indian
3 Housing” for necessary costs of administering and
4 overseeing the obligation and expenditure of this ad-
5 ditional amount and of additional amounts provided
6 in prior years, to remain available until September
7 30, 2025: *Provided further*, That any funds trans-
8 ferred pursuant to the previous proviso in prior Acts
9 may also be used for the purposes described in the
10 previous proviso;

11 (4) \$70,000,000 shall be available for grants to
12 Indian tribes for carrying out the Indian Community
13 Development Block Grant program under title I of
14 the Housing and Community Development Act of
15 1974, notwithstanding section 106(a)(1) of such
16 Act, of which, notwithstanding any other provision
17 of law (including section 203 of this Act), up to
18 \$4,000,000 may be used for emergencies that con-
19 stitute imminent threats to health and safety: *Pro-*
20 *vided*, That not to exceed 20 percent of any grant
21 made with funds appropriated under this paragraph
22 shall be expended for planning and management de-
23 velopment and administration: *Provided further*,
24 That funds provided under this paragraph shall re-
25 main available until September 30, 2022; and

1 (5) \$7,000,000 shall be available for providing
2 training and technical assistance to Indian tribes,
3 Indian housing authorities and tribally designated
4 housing entities, to support the inspection of Indian
5 housing units, contract expertise, and for training
6 and technical assistance related to funding provided
7 under this heading and other headings under this
8 Act for the needs of Native American families and
9 Indian country: *Provided*, That of the funds made
10 available under this paragraph, not less than
11 \$2,000,000 shall be available for a national organi-
12 zation as authorized under section 703 of
13 NAHASDA (25 U.S.C. 4212): *Provided further*,
14 That amounts made available under this paragraph
15 may be used, contracted, or competed as determined
16 by the Secretary: *Provided further*, That notwith-
17 standing the provisions of the Federal Grant and
18 Cooperative Agreements Act of 1977 (31 U.S.C.
19 6301–6308), the amounts made available under this
20 paragraph may be used by the Secretary to enter
21 into cooperative agreements with public and private
22 organizations, agencies, institutions, and other tech-
23 nical assistance providers to support the administra-
24 tion of negotiated rulemaking under section 106 of
25 NAHASDA (25 U.S.C. 4116), the administration of

1 the allocation formula under section 302 of
2 NAHASDA (25 U.S.C. 4152), and the administra-
3 tion of performance tracking and reporting under
4 section 407 of NAHASDA (25 U.S.C. 4167): *Pro-*
5 *vided further*, That of the funds made available
6 under this paragraph, not more than \$1,000,000
7 shall be available to support utilization, outreach,
8 and capacity building with tribes and tribal housing
9 organizations for the Tribal HUD-VASH program.

10 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

11 ACCOUNT

12 For the cost of guaranteed loans, as authorized by
13 section 184 of the Housing and Community Development
14 Act of 1992 (12 U.S.C. 1715z–13a), \$1,100,000, to re-
15 main available until expended: *Provided*, That such costs,
16 including the costs of modifying such loans, shall be as
17 defined in section 502 of the Congressional Budget Act
18 of 1974: *Provided further*, That an additional \$500,000,
19 to remain available until expended, shall be available for
20 administrative contract expenses including management
21 processes to carry out the loan guarantee program: *Pro-*
22 *vided further*, That the Secretary may subsidize total loan
23 principal, any part of which is to be guaranteed, up to
24 \$1,000,000,000, to remain available until expended: *Pro-*
25 *vided further*, That for any unobligated balances (includ-

1 ing amounts of uncommitted limitation) remaining from
2 amounts made available under this heading in Public Law
3 115–31, Public Law 115–141, and Public Law 116–6, and
4 for any recaptures occurring in fiscal year 2019 or in fu-
5 ture fiscal years of amounts made available under this
6 heading in prior fiscal years, the second proviso of each
7 such heading shall be applied as if “these funds are avail-
8 able to” was struck and “the Secretary may” was inserted
9 in its place.

10 NATIVE HAWAIIAN HOUSING BLOCK GRANT

11 For the Native Hawaiian Housing Block Grant pro-
12 gram, as authorized under title VIII of the Native Amer-
13 ican Housing Assistance and Self-Determination Act of
14 1996 (25 U.S.C. 4111 et seq.), \$2,000,000, to remain
15 available until September 30, 2024: *Provided*, That not-
16 withstanding section 812(b) of such Act, the Department
17 of Hawaiian Home Lands may not invest grant amounts
18 provided under this heading in investment securities and
19 other obligations: *Provided further*, That amounts made
20 available under this heading in this and prior fiscal years
21 may be used to provide rental assistance to eligible Native
22 Hawaiian families both on and off the Hawaiian Home
23 Lands, notwithstanding any other provision of law.

1 COMMUNITY PLANNING AND DEVELOPMENT

2 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

3 For carrying out the Housing Opportunities for Per-
4 sons with AIDS program, as authorized by the AIDS
5 Housing Opportunity Act (42 U.S.C. 12901 et seq.),
6 \$410,000,000, to remain available until September 30,
7 2021, except that amounts allocated pursuant to section
8 854(c)(5) of such Act shall remain available until Sep-
9 tember 30, 2022: *Provided*, That the Secretary shall renew
10 all expiring contracts for permanent supportive housing
11 that initially were funded under section 854(c)(5) of such
12 Act from funds made available under this heading in fiscal
13 year 2010 and prior fiscal years that meet all program
14 requirements before awarding funds for new contracts
15 under such section: *Provided further*, That the Depart-
16 ment shall notify grantees of their formula allocation with-
17 in 60 days of enactment of this Act.

18 COMMUNITY DEVELOPMENT FUND

19 For carrying out the community development block
20 grant program under title I of the Housing and Commu-
21 nity Development Act of 1974, as amended (42 U.S.C.
22 5301 et seq.) (“the Act” herein), \$3,425,000,000, to re-
23 main available until September 30, 2022, unless otherwise
24 specified: *Provided*, That unless explicitly provided for
25 under this heading, not to exceed 20 percent of any grant

1 made with funds appropriated under this heading shall be
2 expended for planning and management development and
3 administration: *Provided further*, That a metropolitan city,
4 urban county, unit of general local government, or insular
5 area that directly or indirectly receives funds under this
6 heading may not sell, trade, or otherwise transfer all or
7 any portion of such funds to another such entity in ex-
8 change for any other funds, credits or non-Federal consid-
9 erations, but must use such funds for activities eligible
10 under title I of the Act: *Provided further*, That notwith-
11 standing section 105(e)(1) of the Act, no funds provided
12 under this heading may be provided to a for-profit entity
13 for an economic development project under section
14 105(a)(17) unless such project has been evaluated and se-
15 lected in accordance with guidelines required under sub-
16 section (e)(2): *Provided further*, That of the total amount
17 provided under this heading, \$25,000,000 shall be for ac-
18 tivities authorized under section 8071 of the SUPPORT
19 for Patients and Communities Act (Public Law 115–271):
20 *Provided further*, That the funds allocated pursuant to the
21 previous proviso shall not adversely affect the amount of
22 any formula assistance received by a State under this
23 heading: *Provided further*, That the Secretary shall allo-
24 cate the funds for such activities based on the percentages
25 shown in Table 1 of the Notice establishing the funding

1 formula published in 84 FR 16027 (April 17, 2019): *Pro-*
2 *vided further*, That the Department shall notify grantees
3 of their formula allocation within 60 days of enactment
4 of this Act.

5 COMMUNITY DEVELOPMENT LOAN GUARANTEES

6 PROGRAM ACCOUNT

7 Subject to section 502 of the Congressional Budget
8 Act of 1974, during fiscal year 2020, commitments to
9 guarantee loans under section 108 of the Housing and
10 Community Development Act of 1974 (42 U.S.C. 5308),
11 any part of which is guaranteed, shall not exceed a total
12 principal amount of \$300,000,000, notwithstanding any
13 aggregate limitation on outstanding obligations guaran-
14 teed in subsection (k) of such section 108: *Provided*, That
15 the Secretary shall collect fees from borrowers, notwith-
16 standing subsection (m) of such section 108, to result in
17 a credit subsidy cost of zero for guaranteeing such loans,
18 and any such fees shall be collected in accordance with
19 section 502(7) of the Congressional Budget Act of 1974:
20 *Provided further*, That such commitment authority funded
21 by fees may be used to guarantee, or make commitments
22 to guarantee, notes or other obligations issued by any
23 State on behalf of non-entitlement communities in the
24 State in accordance with the requirements of such section
25 108: *Provided further*, That any State receiving such a

1 guarantee or commitment under the previous proviso shall
2 distribute all funds subject to such guarantee to the units
3 of general local government in nonentitlement areas that
4 received the commitment.

5 HOME INVESTMENT PARTNERSHIPS PROGRAM

6 For the HOME Investment Partnerships program, as
7 authorized under title II of the Cranston-Gonzalez Na-
8 tional Affordable Housing Act, as amended,
9 \$1,350,000,000, to remain available until September 30,
10 2023: *Provided*, That notwithstanding the amount made
11 available under this heading, the threshold reduction re-
12 quirements in sections 216(10) and 217(b)(4) of such Act
13 shall not apply to allocations of such amount: *Provided*
14 *further*, That the Department shall notify grantees of their
15 formula allocation within 60 days of enactment of this Act:
16 *Provided further*, That section 218(g) of such Act (42
17 U.S.C. 12748(g)) shall not apply with respect to the right
18 of a jurisdiction to draw funds from its HOME Investment
19 Trust Fund that otherwise expired or would expire in
20 2016, 2017, 2018, 2019, 2020, 2021, or 2022 under that
21 section: *Provided further*, That section 231(b) of such Act
22 (42 U.S.C. 12771(b)) shall not apply to any uninvested
23 funds that otherwise were deducted or would be deducted
24 from the line of credit in the participating jurisdiction's

1 HOME Investment Trust Fund in 2018, 2019, 2020,
2 2021, or 2022 under that section.

3 SELF-HELP AND ASSISTED HOMEOWNERSHIP

4 OPPORTUNITY PROGRAM

5 For the Self-Help and Assisted Homeownership Op-
6 portunity Program, as authorized under section 11 of the
7 Housing Opportunity Program Extension Act of 1996, as
8 amended, \$55,000,000, to remain available until Sep-
9 tember 30, 2022: *Provided*, That of the total amount pro-
10 vided under this heading, \$10,000,000 shall be made
11 available to the Self-Help Homeownership Opportunity
12 Program as authorized under section 11 of the Housing
13 Opportunity Program Extension Act of 1996, as amended:
14 *Provided further*, That of the total amount provided under
15 this heading, \$36,000,000 shall be made available for the
16 second, third, and fourth capacity building activities au-
17 thorized under section 4(a) of the HUD Demonstration
18 Act of 1993 (42 U.S.C. 9816 note), of which not less than
19 \$5,000,000 shall be made available for rural capacity
20 building activities: *Provided further*, That of the total
21 amount provided under this heading, \$5,000,000 shall be
22 made available for capacity building by national rural
23 housing organizations with experience assessing national
24 rural conditions and providing financing, training, tech-
25 nical assistance, information, and research to local non-

1 profits, local governments, and Indian Tribes serving high
2 need rural communities: *Provided further*, That of the
3 total amount provided under this heading, \$4,000,000,
4 shall be made available for a program to rehabilitate and
5 modify the homes of disabled or low-income veterans, as
6 authorized under section 1079 of Public Law 113–291:
7 *Provided further*, That funds provided under the previous
8 proviso shall be awarded within 180 days of enactment
9 of this Act.

10 HOMELESS ASSISTANCE GRANTS

11 For the Emergency Solutions Grants program as au-
12 thorized under subtitle B of title IV of the McKinney-
13 Vento Homeless Assistance Act, as amended; the Con-
14 tinuum of Care program as authorized under subtitle C
15 of title IV of such Act; and the Rural Housing Stability
16 Assistance program as authorized under subtitle D of title
17 IV of such Act \$2,777,000,000, to remain available until
18 September 30, 2022: *Provided further*, That not less than
19 \$290,000,000 of the funds appropriated under this head-
20 ing shall be available for such Emergency Solutions
21 Grants program: *Provided further*, That not less than
22 \$2,350,000,000 of the funds appropriated under this
23 heading shall be available for such Continuum of Care and
24 Rural Housing Stability Assistance programs: *Provided*
25 *further*, That of the amounts made available under this

1 heading, up to \$50,000,000 shall be made available for
2 grants for rapid re-housing projects and supportive service
3 projects providing coordinated entry, and for eligible ac-
4 tivities the Secretary determines to be critical in order to
5 assist survivors of domestic violence, dating violence, sex-
6 ual assault, or stalking: *Provided further*, That such
7 projects shall be eligible for renewal under the continuum
8 of care program subject to the same terms and conditions
9 as other renewal applicants: *Provided further*, That up to
10 \$7,000,000 of the funds appropriated under this heading
11 shall be available for the national homeless data analysis
12 project: *Provided further*, That for all match requirements
13 applicable to funds made available under this heading for
14 this fiscal year and prior fiscal years, a grantee may use
15 (or could have used) as a source of match funds other
16 funds administered by the Secretary and other Federal
17 agencies unless there is (or was) a specific statutory prohi-
18 bition on any such use of any such funds: *Provided further*,
19 That none of the funds provided under this heading shall
20 be available to provide funding for new projects, except
21 for projects created through reallocation, unless the Sec-
22 retary determines that the continuum of care has dem-
23 onstrated that projects are evaluated and ranked based
24 on the degree to which they improve the continuum of
25 care's system performance: *Provided further*, That the

1 Secretary shall prioritize funding under the Continuum of
2 Care program to continuums of care that have dem-
3 onstrated a capacity to reallocate funding from lower per-
4 forming projects to higher performing projects: *Provided*
5 *further*, That the Secretary shall provide incentives to cre-
6 ate projects that coordinate with housing providers and
7 healthcare organizations to provide permanent supportive
8 housing and rapid rehousing services: *Provided further*,
9 That any unobligated amounts remaining from funds ap-
10 propriated under this heading in fiscal year 2012 and
11 prior years for project-based rental assistance for rehabili-
12 tation projects with 10-year grant terms may be used for
13 purposes under this heading, notwithstanding the pur-
14 poses for which such funds were appropriated: *Provided*
15 *further*, That all balances for Shelter Plus Care renewals
16 previously funded from the Shelter Plus Care Renewal ac-
17 count and transferred to this account shall be available,
18 if recaptured, for Continuum of Care renewals in fiscal
19 year 2020: *Provided further*, That the Department shall
20 notify grantees of their formula allocation from amounts
21 allocated (which may represent initial or final amounts al-
22 located) for the Emergency Solutions Grant program with-
23 in 60 days of enactment of this Act: *Provided further*, That
24 up to \$80,000,000 of the funds appropriated under this
25 heading shall be to implement projects to demonstrate how

1 a comprehensive approach to serving homeless youth, age
2 24 and under, in up to 25 communities with a priority
3 for communities with substantial rural populations in up
4 to eight locations, can dramatically reduce youth home-
5 lessness: *Provided further*, That of the amount made avail-
6 able under the previous proviso, up to \$10,000,000 shall
7 be available to provide technical assistance on improving
8 system responses to youth homelessness, and collection,
9 analysis, use, and reporting of data and performance
10 measures under the comprehensive approaches to serve
11 homeless youth, in addition to and in coordination with
12 other technical assistance funds provided under this title:
13 *Provided further*, That the Secretary may use up to 10
14 percent of the amount made available under the previous
15 proviso to build the capacity of current technical assist-
16 ance providers or to train new technical assistance pro-
17 viders with verifiable prior experience with systems and
18 programs for youth experiencing homelessness: *Provided*
19 *further*, That amounts made available for the Continuum
20 of Care program under this heading in this and prior Acts
21 may be used to competitively or non-competitively renew
22 or replace grants for youth homeless demonstration
23 projects under the Continuum of Care program, notwith-
24 standing any conflict with the requirements of the Con-
25 tinuum of Care program: *Provided further*, That youth

1 aged 24 and under seeking assistance under this heading
2 shall not be required to provide third party documentation
3 to establish their eligibility under 42 U.S.C. 11302(a) or
4 (b) to receive services: *Provided further*, That unaccom-
5 panied youth aged 24 and under or families headed by
6 youth aged 24 and under who are living in unsafe situa-
7 tions may be served by youth-serving providers funded
8 under this heading: *Provided further*, That persons eligible
9 under section 103(a)(5) of the McKinney-Vento Homeless
10 Assistance Act may be served by any project funded under
11 this heading to provide both transitional housing and
12 rapid re-housing: *Provided further*, That when awarding
13 funds under the Continuum of Care program, the Sec-
14 retary shall not deviate from the FY 2018 Notice of Fund-
15 ing Availability with respect to the tier 2 funding process,
16 the Continuum of Care application scoring, and for new
17 projects, the project quality threshold requirements, ex-
18 cept as otherwise provided under this Act or as necessary
19 to award all available funds or consider the most recent
20 data from each Continuum of Care.

21 HOUSING PROGRAMS

22 PROJECT-BASED RENTAL ASSISTANCE

23 For activities and assistance for the provision of
24 project-based subsidy contracts under the United States
25 Housing Act of 1937 (42 U.S.C. 1437 et seq.) (“the

1 Act”), not otherwise provided for, \$12,170,000,000, to re-
2 main available until expended, shall be available on Octo-
3 ber 1, 2019 (in addition to the \$400,000,000 previously
4 appropriated under this heading that became available Oc-
5 tober 1, 2019), and \$400,000,000, to remain available
6 until expended, shall be available on October 1, 2020: *Pro-*
7 *vided*, That the amounts made available under this head-
8 ing shall be available for expiring or terminating section
9 8 project-based subsidy contracts (including section 8
10 moderate rehabilitation contracts), for amendments to sec-
11 tion 8 project-based subsidy contracts (including section
12 8 moderate rehabilitation contracts), for contracts entered
13 into pursuant to section 441 of the McKinney-Vento
14 Homeless Assistance Act (42 U.S.C. 11401), for renewal
15 of section 8 contracts for units in projects that are subject
16 to approved plans of action under the Emergency Low In-
17 come Housing Preservation Act of 1987 or the Low-In-
18 come Housing Preservation and Resident Homeownership
19 Act of 1990, and for administrative and other expenses
20 associated with project-based activities and assistance
21 funded under this paragraph: *Provided further*, That of
22 the total amounts provided under this heading, not to ex-
23 ceed \$345,000,000 shall be available for performance-
24 based contract administrators for section 8 project-based
25 assistance, for carrying out 42 U.S.C. 1437(f): *Provided*

1 *further*, That the Secretary may also use such amounts
2 in the previous proviso for performance-based contract ad-
3 ministrators for the administration of: interest reduction
4 payments pursuant to section 236(a) of the National
5 Housing Act (12 U.S.C. 1715z-1(a)); rent supplement
6 payments pursuant to section 101 of the Housing and
7 Urban Development Act of 1965 (12 U.S.C. 1701s); sec-
8 tion 236(f)(2) rental assistance payments (12 U.S.C.
9 1715z-1(f)(2)); project rental assistance contracts for the
10 elderly under section 202(c)(2) of the Housing Act of
11 1959 (12 U.S.C. 1701q); project rental assistance con-
12 tracts for supportive housing for persons with disabilities
13 under section 811(d)(2) of the Cranston-Gonzalez Na-
14 tional Affordable Housing Act (42 U.S.C. 8013(d)(2));
15 project assistance contracts pursuant to section 202(h) of
16 the Housing Act of 1959 (Public Law 86-372; 73 Stat.
17 667); and loans under section 202 of the Housing Act of
18 1959 (Public Law 86-372; 73 Stat. 667): *Provided fur-*
19 *ther*, That amounts recaptured under this heading, the
20 heading “Annual Contributions for Assisted Housing”, or
21 the heading “Housing Certificate Fund”, may be used for
22 renewals of or amendments to section 8 project-based con-
23 tracts or for performance-based contract administrators,
24 notwithstanding the purposes for which such amounts
25 were appropriated: *Provided further*, That, notwith-

1 standing any other provision of law, upon the request of
2 the Secretary, project funds that are held in residual re-
3 ceipts accounts for any project subject to a section 8
4 project-based Housing Assistance Payments contract that
5 authorizes HUD or a Housing Finance Agency to require
6 that surplus project funds be deposited in an interest-
7 bearing residual receipts account and that are in excess
8 of an amount to be determined by the Secretary, shall be
9 remitted to the Department and deposited in this account,
10 to be available until expended: *Provided further*, That
11 amounts deposited pursuant to the previous proviso shall
12 be available in addition to the amount otherwise provided
13 by this heading for uses authorized under this heading.

14 HOUSING FOR THE ELDERLY

15 For capital advances, including amendments to cap-
16 ital advance contracts, for housing for the elderly, as au-
17 thorized by section 202 of the Housing Act of 1959, as
18 amended, for project rental assistance for the elderly
19 under section 202(c)(2) of such Act, including amend-
20 ments to contracts for such assistance and renewal of ex-
21 piring contracts for such assistance for up to a 1-year
22 term, for senior preservation rental assistance contracts,
23 including renewals, as authorized by section 811(e) of the
24 American Housing and Economic Opportunity Act of
25 2000, as amended, and for supportive services associated

1 with the housing, \$793,000,000, to remain available until
2 September 30, 2023: *Provided*, That of the amount pro-
3 vided under this heading, up to \$100,000,000 shall be for
4 service coordinators and the continuation of existing con-
5 gregate service grants for residents of assisted housing
6 projects: *Provided further*, That amounts under this head-
7 ing shall be available for Real Estate Assessment Center
8 inspections and inspection-related activities associated
9 with section 202 projects: *Provided further*, That the Sec-
10 retary may waive the provisions of section 202 governing
11 the terms and conditions of project rental assistance, ex-
12 cept that the initial contract term for such assistance shall
13 not exceed 5 years in duration: *Provided further*, That
14 upon request of the Secretary, project funds that are held
15 in residual receipts accounts for any project subject to a
16 section 202 project rental assistance contract, and that
17 upon termination of such contract are in excess of an
18 amount to be determined by the Secretary, shall be remit-
19 ted to the Department and deposited in this account, to
20 remain available until September 30, 2023: *Provided fur-*
21 *ther*, That amounts deposited in this account pursuant to
22 the previous proviso shall be available, in addition to the
23 amounts otherwise provided by this heading, for the pur-
24 poses authorized under this heading: *Provided further*,
25 That unobligated balances, including recaptures and car-

1 ryover, remaining from funds transferred to or appro-
2 priated under this heading shall be available for the cur-
3 rent purposes authorized under this heading in addition
4 to the purposes for which such funds originally were ap-
5 propriated: *Provided further*, That of the total amount
6 provided under this heading, \$10,000,000 shall be for a
7 program to be established by the Secretary to make grants
8 to experienced non-profit organizations, States, local gov-
9 ernments, or public housing agencies for safety and func-
10 tional home modification repairs to meet the needs of low-
11 income elderly homeowners to enable them to remain in
12 their primary residence: *Provided further*, That of the total
13 amount made available under the previous proviso, no less
14 than \$5,000,000 shall be available to meet such needs in
15 communities with substantial rural populations: *Provided*
16 *further*, That beneficiaries of the grant assistance provided
17 in the previous two provisos under this heading in the De-
18 partment of Housing and Urban Development Appropria-
19 tions Act, 2019 (Public Law 116–6) shall be homeowners.

20 HOUSING FOR PERSONS WITH DISABILITIES

21 For capital advances, including amendments to cap-
22 ital advance contracts, for supportive housing for persons
23 with disabilities, as authorized by section 811 of the Cran-
24 ston-Gonzalez National Affordable Housing Act (42
25 U.S.C. 8013), as amended, for project rental assistance

1 for supportive housing for persons with disabilities under
2 section 811(d)(2) of such Act, for project assistance con-
3 tracts pursuant to section 202(h) of the Housing Act of
4 1959 (Public Law 86–372; 73 Stat. 667), including
5 amendments to contracts for such assistance and renewal
6 of expiring contracts for such assistance for up to a 1-
7 year term, for project rental assistance to State housing
8 finance agencies and other appropriate entities as author-
9 ized under section 811(b)(3) of the Cranston-Gonzalez
10 National Housing Act, and for supportive services associ-
11 ated with the housing for persons with disabilities as au-
12 thorized by section 811(b)(1) of such Act, \$202,000,000,
13 to remain available until September 30, 2023: *Provided*,
14 That amounts made available under this heading shall be
15 available for Real Estate Assessment Center inspections
16 and inspection-related activities associated with section
17 811 projects: *Provided further*, That, upon the request of
18 the Secretary, project funds that are held in residual re-
19 ceipts accounts for any project subject to a section 811
20 project rental assistance contract, and that upon termi-
21 nation of such contract are in excess of an amount to be
22 determined by the Secretary, shall be remitted to the De-
23 partment and deposited in this account, to remain avail-
24 able until September 30, 2023: *Provided further*, That
25 amounts deposited in this account pursuant to the pre-

1 vious proviso shall be available in addition to the amounts
2 otherwise provided by this heading for the purposes au-
3 thorized under this heading: *Provided further*, That unobli-
4 gated balances, including recaptures and carryover, re-
5 maining from funds transferred to or appropriated under
6 this heading shall be used for the current purposes author-
7 ized under this heading in addition to the purposes for
8 which such funds originally were appropriated.

9 HOUSING COUNSELING ASSISTANCE

10 For contracts, grants, and other assistance excluding
11 loans, as authorized under section 106 of the Housing and
12 Urban Development Act of 1968, as amended,
13 \$53,000,000, to remain available until September 30,
14 2021, including up to \$4,500,000 for administrative con-
15 tract services and up to \$3,000,000 for the certification
16 of housing counselors as required under 12 U.S.C. 1701x:
17 *Provided*, That grants made available from amounts pro-
18 vided under this heading shall be awarded within 180 days
19 of enactment of this Act: *Provided further*, That funds
20 shall be used for providing counseling and advice to ten-
21 ants and homeowners, both current and prospective, with
22 respect to property maintenance, financial management or
23 literacy, and such other matters as may be appropriate
24 to assist them in improving their housing conditions, meet-
25 ing their financial needs, and fulfilling the responsibilities

1 of tenancy or homeownership; for program administration;
2 and for housing counselor training: *Provided further*, That
3 for purposes of providing such grants from amounts pro-
4 vided under this heading, the Secretary may enter into
5 multiyear agreements, as appropriate, subject to the avail-
6 ability of annual appropriations.

7 RENTAL HOUSING ASSISTANCE

8 For amendments to contracts under section 236(f)(2)
9 of the National Housing Act (12 U.S.C. 1715z-1) in
10 State-aided, noninsured rental housing projects,
11 \$3,000,000, to remain available until expended: *Provided*,
12 That such amount, together with unobligated balances
13 from recaptured amounts appropriated prior to fiscal year
14 2006 from terminated contracts under such section of law,
15 and any unobligated balances, including recaptures and
16 carryover, remaining from funds appropriated under this
17 heading after fiscal year 2005, shall also be available for
18 extensions of up to one year for expiring contracts under
19 such section of law.

20 PAYMENT TO MANUFACTURED HOUSING FEES TRUST

21 FUND

22 For necessary expenses as authorized by the National
23 Manufactured Housing Construction and Safety Stand-
24 ards Act of 1974 (42 U.S.C. 5401 et seq.), up to
25 \$13,000,000, to remain available until expended, of which

1 \$13,000,000 is to be derived from the Manufactured
2 Housing Fees Trust Fund: *Provided*, That not to exceed
3 the total amount appropriated under this heading shall be
4 available from the general fund of the Treasury to the ex-
5 tent necessary to incur obligations and make expenditures
6 pending the receipt of collections to the Fund pursuant
7 to section 620 of such Act: *Provided further*, That the
8 amount made available under this heading from the gen-
9 eral fund shall be reduced as such collections are received
10 during fiscal year 2020 so as to result in a final fiscal
11 year 2020 appropriation from the general fund estimated
12 at zero, and fees pursuant to such section 620 shall be
13 modified as necessary to ensure such a final fiscal year
14 2020 appropriation: *Provided further*, That the Secretary
15 of Housing and Urban Development shall issue a final rule
16 to complete rulemaking initiated by the proposed rule enti-
17 tled “Manufactured Housing Program: Minimum Pay-
18 ments to the States” published in the Federal Register
19 on December 16, 2016 (81 Fed. Reg. 91083): *Provided*
20 *further*, That for the dispute resolution and installation
21 programs, the Secretary may assess and collect fees from
22 any program participant: *Provided further*, That such col-
23 lections shall be deposited into the Fund, and the Sec-
24 retary, as provided herein, may use such collections, as
25 well as fees collected under section 620, for necessary ex-

1 penses of such Act: *Provided further*, That, notwith-
2 standing the requirements of section 620 of such Act, the
3 Secretary may carry out responsibilities of the Secretary
4 under such Act through the use of approved service pro-
5 viders that are paid directly by the recipients of their serv-
6 ices.

7 FEDERAL HOUSING ADMINISTRATION

8 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

9 New commitments to guarantee single family loans
10 insured under the Mutual Mortgage Insurance Fund shall
11 not exceed \$400,000,000,000, to remain available until
12 September 30, 2021: *Provided*, That during fiscal year
13 2020, obligations to make direct loans to carry out the
14 purposes of section 204(g) of the National Housing Act,
15 as amended, shall not exceed \$1,000,000: *Provided fur-*
16 *ther*, That the foregoing amount in the previous proviso
17 shall be for loans to nonprofit and governmental entities
18 in connection with sales of single family real properties
19 owned by the Secretary and formerly insured under the
20 Mutual Mortgage Insurance Fund: *Provided further*, That
21 for administrative contract expenses of the Federal Hous-
22 ing Administration, \$130,000,000, to remain available
23 until September 30, 2021: *Provided further*, That to the
24 extent guaranteed loan commitments exceed
25 \$200,000,000,000 on or before April 1, 2020, an addi-

1 tional \$1,400 for administrative contract expenses shall be
2 available for each \$1,000,000 in additional guaranteed
3 loan commitments (including a pro rata amount for any
4 amount below \$1,000,000), but in no case shall funds
5 made available by this proviso exceed \$30,000,000: *Pro-*
6 *vided further*, That notwithstanding the limitation in the
7 first sentence of section 255(g) of the National Housing
8 Act (12 U.S.C. 1715z–20(g)), during fiscal year 2020 the
9 Secretary may insure and enter into new commitments to
10 insure mortgages under section 255 of the National Hous-
11 ing Act only to the extent that the net credit subsidy cost
12 for such insurance does not exceed zero: *Provided further*,
13 That for fiscal year 2020, the Secretary shall not take any
14 action against a lender solely on the basis of compare ra-
15 tios that have been adversely affected by defaults on mort-
16 gages secured by properties in areas where a major dis-
17 aster was declared in 2017 or 2018 pursuant to the Rob-
18 ert T. Stafford Disaster Relief and Emergency Assistance
19 Act (42 U.S.C. 5121 et seq.).

20 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

21 New commitments to guarantee loans insured under
22 the General and Special Risk Insurance Funds, as author-
23 ized by sections 238 and 519 of the National Housing Act
24 (12 U.S.C. 1715z–3 and 1735c), shall not exceed
25 \$30,000,000,000 in total loan principal, any part of which

1 is to be guaranteed, to remain available until September
2 30, 2021: *Provided*, That during fiscal year 2020, gross
3 obligations for the principal amount of direct loans, as au-
4 thorized by sections 204(g), 207(l), 238, and 519(a) of
5 the National Housing Act, shall not exceed \$1,000,000,
6 which shall be for loans to nonprofit and governmental en-
7 tities in connection with the sale of single family real prop-
8 erties owned by the Secretary and formerly insured under
9 such Act.

10 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION
11 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN
12 GUARANTEE PROGRAM ACCOUNT

13 New commitments to issue guarantees to carry out
14 the purposes of section 306 of the National Housing Act,
15 as amended (12 U.S.C. 1721(g)), shall not exceed
16 \$550,000,000,000, to remain available until September
17 30, 2021: *Provided*, That \$30,500,000, to remain avail-
18 able until September 30, 2021, shall be for necessary sala-
19 ries and expenses of the Office of Government National
20 Mortgage Association: *Provided further*, That to the extent
21 that guaranteed loan commitments exceed
22 \$155,000,000,000 on or before April 1, 2020, an addi-
23 tional \$100 for necessary salaries and expenses shall be
24 available until expended for each \$1,000,000 in additional
25 guaranteed loan commitments (including a pro rata

1 amount for any amount below \$1,000,000), but in no case
2 shall funds made available by this proviso exceed
3 \$3,000,000: *Provided further*, That receipts from Commit-
4 ment and Multiclass fees collected pursuant to title III of
5 the National Housing Act, as amended, shall be credited
6 as offsetting collections to this account.

7 POLICY DEVELOPMENT AND RESEARCH

8 RESEARCH AND TECHNOLOGY

9 For contracts, grants, and necessary expenses of pro-
10 grams of research and studies relating to housing and
11 urban problems, not otherwise provided for, as authorized
12 by title V of the Housing and Urban Development Act
13 of 1970 (12 U.S.C. 1701z-1 et seq.), including carrying
14 out the functions of the Secretary of Housing and Urban
15 Development under section 1(a)(1)(i) of Reorganization
16 Plan No. 2 of 1968, and for technical assistance,
17 \$98,000,000, to remain available until September 30,
18 2021: *Provided*, That with respect to amounts made avail-
19 able under this heading, notwithstanding section 203 of
20 this title, the Secretary may enter into cooperative agree-
21 ments with philanthropic entities, other Federal agencies,
22 State or local governments and their agencies, Indian
23 tribes, tribally designated housing entities, or colleges or
24 universities for research projects: *Provided further*, That
25 with respect to the previous proviso, such partners to the

1 cooperative agreements must contribute at least a 50 per-
2 cent match toward the cost of the project: *Provided fur-*
3 *ther*, That for non-competitive agreements entered into in
4 accordance with the previous two provisos, the Secretary
5 of Housing and Urban Development shall comply with sec-
6 tion 2(b) of the Federal Funding Accountability and
7 Transparency Act of 2006 (Public Law 109–282, 31
8 U.S.C. note) in lieu of compliance with section
9 102(a)(4)(C) with respect to documentation of award deci-
10 sions: *Provided further*, That prior to obligation of tech-
11 nical assistance funding, the Secretary shall submit a plan
12 to the House and Senate Committees on Appropriations
13 on how it will allocate funding for this activity at least
14 30 days prior to obligation: *Provided further*, That none
15 of the funds provided under this heading may be available
16 for the doctoral dissertation research grant program.

17 FAIR HOUSING AND EQUAL OPPORTUNITY

18 FAIR HOUSING ACTIVITIES

19 For contracts, grants, and other assistance, not oth-
20 erwise provided for, as authorized by title VIII of the Civil
21 Rights Act of 1968, as amended by the Fair Housing
22 Amendments Act of 1988, and section 561 of the Housing
23 and Community Development Act of 1987, as amended,
24 \$70,300,000, to remain available until September 30,
25 2021: *Provided*, That grants made available from amounts

1 provided under this heading shall be awarded within 180
2 days of enactment of this Act: *Provided further*, That not-
3 withstanding 31 U.S.C. 3302, the Secretary may assess
4 and collect fees to cover the costs of the Fair Housing
5 Training Academy, and may use such funds to develop on-
6 line courses and provide such training: *Provided further*,
7 That no funds made available under this heading shall be
8 used to lobby the executive or legislative branches of the
9 Federal Government in connection with a specific con-
10 tract, grant, or loan: *Provided further*, That of the funds
11 made available under this heading, \$350,000 shall be
12 available to the Secretary of Housing and Urban Develop-
13 ment for the creation and promotion of translated mate-
14 rials and other programs that support the assistance of
15 persons with limited English proficiency in utilizing the
16 services provided by the Department of Housing and
17 Urban Development.

18 OFFICE OF LEAD HAZARD CONTROL AND HEALTHY

19 HOMES

20 LEAD HAZARD REDUCTION

21 For the Lead Hazard Reduction Program, as author-
22 ized by section 1011 of the Residential Lead-Based Paint
23 Hazard Reduction Act of 1992, \$290,000,000, to remain
24 available until September 30, 2022, of which \$50,000,000
25 shall be for the Healthy Homes Initiative, pursuant to sec-

1 tions 501 and 502 of the Housing and Urban Develop-
2 ment Act of 1970, which shall include research, studies,
3 testing, and demonstration efforts, including education
4 and outreach concerning lead-based paint poisoning and
5 other housing-related diseases and hazards: *Provided*,
6 That for purposes of environmental review, pursuant to
7 the National Environmental Policy Act of 1969 (42 U.S.C.
8 4321 et seq.) and other provisions of law that further the
9 purposes of such Act, a grant under the Healthy Homes
10 Initiative, or the Lead Technical Studies program under
11 this heading or under prior appropriations Acts for such
12 purposes under this heading, shall be considered to be
13 funds for a special project for purposes of section 305(c)
14 of the Multifamily Housing Property Disposition Reform
15 Act of 1994: *Provided further*, That not less than
16 \$95,000,000 of the amounts made available under this
17 heading for the award of grants pursuant to section 1011
18 of the Residential Lead-Based Paint Hazard Reduction
19 Act of 1992 shall be provided to areas with the highest
20 lead-based paint abatement needs: *Provided further*, That
21 \$64,000,000 of the funds appropriated under this heading
22 shall be for the implementation of projects in not more
23 than ten communities to demonstrate how intensive, ex-
24 tended, multi-year interventions can dramatically reduce
25 the presence of lead-based paint hazards in those commu-

1 nities: *Provided further*, That each project shall serve no
2 more than four contiguous census tracts in which there
3 are high concentrations of housing stock built before 1940,
4 in which low-income families with children make up a sig-
5 nificantly higher proportion of the population as compared
6 to the State average, and that are located in jurisdictions
7 in which instances of elevated blood lead levels reported
8 to the State are significantly higher than the State aver-
9 age: *Provided further*, That such projects shall be awarded
10 not less than \$6,000,000 and not more than \$9,000,000:
11 *Provided further*, That funding awarded for such projects
12 shall be made available for draw down contingent upon
13 the grantee meeting cost-savings, productivity, and grant
14 compliance benchmarks established by the Secretary: *Pro-*
15 *vided further*, That each recipient of funds for such
16 projects shall contribute an amount not less than 10 per-
17 cent of the total award, and that the Secretary shall give
18 priority to applicants that secure commitments for addi-
19 tional contributions from public and private sources: *Pro-*
20 *vided further*, That grantees currently receiving grants
21 made under this heading shall be eligible to apply for such
22 projects, provided that they are deemed to be in compli-
23 ance with program requirements established by the Sec-
24 retary: *Provided further*, That of the amount made avail-
25 able for the Healthy Homes Initiative, \$5,000,000 shall

1 be for the implementation of projects in up to 5 commu-
2 nities that are served by both the Healthy Homes Initia-
3 tive and the Department of Energy weatherization pro-
4 grams to demonstrate whether the coordination of Healthy
5 Homes remediation activities with weatherization activi-
6 ties achieves cost savings and better outcomes in improv-
7 ing the safety and quality of homes: *Provided further*, That
8 each applicant shall certify adequate capacity that is ac-
9 ceptable to the Secretary to carry out the proposed use
10 of funds pursuant to a notice of funding availability: *Pro-*
11 *vided further*, That amounts made available under this
12 heading in this or prior appropriations Acts, still remain-
13 ing available, may be used for any purpose under this
14 heading notwithstanding the purpose for which such
15 amounts were appropriated if a program competition is
16 undersubscribed and there are other program competitions
17 under this heading that are oversubscribed.

18 INFORMATION TECHNOLOGY FUND

19 For the development, modernization, and enhance-
20 ment of, modifications to, and infrastructure for Depart-
21 ment-wide and program-specific information technology
22 systems, for the continuing operation and maintenance of
23 both Department-wide and program-specific information
24 systems, and for program-related maintenance activities,
25 \$280,000,000, of which \$260,000,000 shall remain avail-

1 able until September 30, 2021, and of which \$20,000,000
2 shall remain available until September 30, 2022: *Provided*,
3 That any amounts transferred to this Fund under this Act
4 shall remain available until expended: *Provided further*,
5 That any amounts transferred to this Fund from amounts
6 appropriated by previously enacted appropriations Acts
7 may be used for the purposes specified under this Fund,
8 in addition to any other information technology purposes
9 for which such amounts were appropriated: *Provided fur-*
10 *ther*, That not more than 10 percent of the funds made
11 available under this heading for development, moderniza-
12 tion and enhancement may be obligated until the Sec-
13 retary submits to the House and Senate Committees on
14 Appropriations, for approval, a plan for expenditure
15 that—(A) identifies for each modernization project: (i) the
16 functional and performance capabilities to be delivered
17 and the mission benefits to be realized, (ii) the estimated
18 life-cycle cost, and (iii) key milestones to be met; and (B)
19 demonstrates that each modernization project is: (i) com-
20 pliant with the Department’s enterprise architecture, (ii)
21 being managed in accordance with applicable life-cycle
22 management policies and guidance, (iii) subject to the De-
23 partment’s capital planning and investment control re-
24 quirements, and (iv) supported by an adequately staffed
25 project office.

1 OFFICE OF INSPECTOR GENERAL

2 For necessary salaries and expenses of the Office of
3 Inspector General in carrying out the Inspector General
4 Act of 1978, as amended, \$128,200,000: *Provided*, That
5 the Inspector General shall have independent authority
6 over all personnel issues within this office: *Provided fur-*
7 *ther*, That the Office of Inspector General shall procure
8 and rely upon the services of an independent external
9 auditor(s) to audit the fiscal year 2020 and subsequent
10 financial statements of the Department of Housing and
11 Urban Development including the financial statements of
12 the Federal Housing Administration and the Government
13 National Mortgage Association: *Provided further*, That in
14 addition to amounts under this heading otherwise avail-
15 able for the purposes specified in the previous proviso,
16 \$10,000,000 to remain available until September 30,
17 2021, shall be available only for such specified purposes.

18 GENERAL PROVISIONS—DEPARTMENT OF HOUSING AND

19 URBAN DEVELOPMENT

20 (INCLUDING TRANSFER OF FUNDS)

21 (INCLUDING RESCISSIONS)

22 SEC. 201. Fifty percent of the amounts of budget au-
23 thority, or in lieu thereof 50 percent of the cash amounts
24 associated with such budget authority, that are recaptured
25 from projects described in section 1012(a) of the Stewart

1 B. McKinney Homeless Assistance Amendments Act of
2 1988 (42 U.S.C. 1437f note) shall be rescinded or in the
3 case of cash, shall be remitted to the Treasury, and such
4 amounts of budget authority or cash recaptured and not
5 rescinded or remitted to the Treasury shall be used by
6 State housing finance agencies or local governments or
7 local housing agencies with projects approved by the Sec-
8 retary of Housing and Urban Development for which set-
9 tlement occurred after January 1, 1992, in accordance
10 with such section. Notwithstanding the previous sentence,
11 the Secretary may award up to 15 percent of the budget
12 authority or cash recaptured and not rescinded or remitted
13 to the Treasury to provide project owners with incentives
14 to refinance their project at a lower interest rate.

15 SEC. 202. None of the amounts made available under
16 this Act may be used during fiscal year 2020 to investigate
17 or prosecute under the Fair Housing Act any otherwise
18 lawful activity engaged in by one or more persons, includ-
19 ing the filing or maintaining of a nonfrivolous legal action,
20 that is engaged in solely for the purpose of achieving or
21 preventing action by a Government official or entity, or
22 a court of competent jurisdiction.

23 SEC. 203. Except as explicitly provided in law, any
24 grant, cooperative agreement or other assistance made
25 pursuant to title II of this Act shall be made on a competi-

1 tive basis and in accordance with section 102 of the De-
2 partment of Housing and Urban Development Reform Act
3 of 1989 (42 U.S.C. 3545).

4 SEC. 204. Funds of the Department of Housing and
5 Urban Development subject to the Government Corpora-
6 tion Control Act or section 402 of the Housing Act of
7 1950 shall be available, without regard to the limitations
8 on administrative expenses, for legal services on a contract
9 or fee basis, and for utilizing and making payment for
10 services and facilities of the Federal National Mortgage
11 Association, Government National Mortgage Association,
12 Federal Home Loan Mortgage Corporation, Federal Fi-
13 nancing Bank, Federal Reserve banks or any member
14 thereof, Federal Home Loan banks, and any insured bank
15 within the meaning of the Federal Deposit Insurance Cor-
16 poration Act, as amended (12 U.S.C. 1811–1).

17 SEC. 205. Unless otherwise provided for in this Act
18 or through a reprogramming of funds, no part of any ap-
19 propriation for the Department of Housing and Urban
20 Development shall be available for any program, project
21 or activity in excess of amounts set forth in the budget
22 estimates submitted to Congress.

23 SEC. 206. Corporations and agencies of the Depart-
24 ment of Housing and Urban Development which are sub-
25 ject to the Government Corporation Control Act are here-

1 by authorized to make such expenditures, within the limits
2 of funds and borrowing authority available to each such
3 corporation or agency and in accordance with law, and to
4 make such contracts and commitments without regard to
5 fiscal year limitations as provided by section 104 of such
6 Act as may be necessary in carrying out the programs set
7 forth in the budget for 2020 for such corporation or agen-
8 cy except as hereinafter provided: *Provided*, That collec-
9 tions of these corporations and agencies may be used for
10 new loan or mortgage purchase commitments only to the
11 extent expressly provided for in this Act (unless such loans
12 are in support of other forms of assistance provided for
13 in this or prior appropriations Acts), except that this pro-
14 viso shall not apply to the mortgage insurance or guaranty
15 operations of these corporations, or where loans or mort-
16 gage purchases are necessary to protect the financial in-
17 terest of the United States Government.

18 SEC. 207. The Secretary of Housing and Urban De-
19 velopment shall provide quarterly reports to the House
20 and Senate Committees on Appropriations regarding all
21 uncommitted, unobligated, recaptured and excess funds in
22 each program and activity within the jurisdiction of the
23 Department and shall submit additional, updated budget
24 information to these Committees upon request.

1 SEC. 208. No funds provided under this title may be
2 used for an audit of the Government National Mortgage
3 Association that makes applicable requirements under the
4 Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

5 SEC. 209. (a) Notwithstanding any other provision
6 of law, subject to the conditions listed under this section,
7 for fiscal years 2020 and 2021, the Secretary of Housing
8 and Urban Development may authorize the transfer of
9 some or all project-based assistance, debt held or insured
10 by the Secretary and statutorily required low-income and
11 very low-income use restrictions if any, associated with one
12 or more multifamily housing project or projects to another
13 multifamily housing project or projects.

14 (b) PHASED TRANSFERS.—Transfers of project-
15 based assistance under this section may be done in phases
16 to accommodate the financing and other requirements re-
17 lated to rehabilitating or constructing the project or
18 projects to which the assistance is transferred, to ensure
19 that such project or projects meet the standards under
20 subsection (c).

21 (c) The transfer authorized in subsection (a) is sub-
22 ject to the following conditions:

23 (1) NUMBER AND BEDROOM SIZE OF UNITS.—

24 (A) For occupied units in the transferring
25 project: The number of low-income and very

1 low-income units and the configuration (i.e.,
2 bedroom size) provided by the transferring
3 project shall be no less than when transferred
4 to the receiving project or projects and the net
5 dollar amount of Federal assistance provided to
6 the transferring project shall remain the same
7 in the receiving project or projects.

8 (B) For unoccupied units in the transfer-
9 ring project: The Secretary may authorize a re-
10 duction in the number of dwelling units in the
11 receiving project or projects to allow for a re-
12 configuration of bedroom sizes to meet current
13 market demands, as determined by the Sec-
14 retary and provided there is no increase in the
15 project-based assistance budget authority.

16 (2) The transferring project shall, as deter-
17 mined by the Secretary, be either physically obsolete
18 or economically nonviable.

19 (3) The receiving project or projects shall meet
20 or exceed applicable physical standards established
21 by the Secretary.

22 (4) The owner or mortgagor of the transferring
23 project shall notify and consult with the tenants re-
24 siding in the transferring project and provide a cer-

1 tification of approval by all appropriate local govern-
2 mental officials.

3 (5) The tenants of the transferring project who
4 remain eligible for assistance to be provided by the
5 receiving project or projects shall not be required to
6 vacate their units in the transferring project or
7 projects until new units in the receiving project are
8 available for occupancy.

9 (6) The Secretary determines that this transfer
10 is in the best interest of the tenants.

11 (7) If either the transferring project or the re-
12 ceiving project or projects meets the condition speci-
13 fied in subsection (d)(2)(A), any lien on the receiv-
14 ing project resulting from additional financing ob-
15 tained by the owner shall be subordinate to any
16 FHA-insured mortgage lien transferred to, or placed
17 on, such project by the Secretary, except that the
18 Secretary may waive this requirement upon deter-
19 mination that such a waiver is necessary to facilitate
20 the financing of acquisition, construction, and/or re-
21 habilitation of the receiving project or projects.

22 (8) If the transferring project meets the re-
23 quirements of subsection (d)(2), the owner or mort-
24 gator of the receiving project or projects shall exe-
25 cute and record either a continuation of the existing

1 use agreement or a new use agreement for the
2 project where, in either case, any use restrictions in
3 such agreement are of no lesser duration than the
4 existing use restrictions.

5 (9) The transfer does not increase the cost (as
6 defined in section 502 of the Congressional Budget
7 Act of 1974(2 U.S.C. 661a)) of any FHA-insured
8 mortgage, except to the extent that appropriations
9 are provided in advance for the amount of any such
10 increased cost.

11 (d) For purposes of this section—

12 (1) the terms “low-income” and “very low-in-
13 come” shall have the meanings provided by the stat-
14 ute and/or regulations governing the program under
15 which the project is insured or assisted;

16 (2) the term “multifamily housing project”
17 means housing that meets one of the following con-
18 ditions—

19 (A) housing that is subject to a mortgage
20 insured under the National Housing Act;

21 (B) housing that has project-based assist-
22 ance attached to the structure including
23 projects undergoing mark to market debt re-
24 structuring under the Multifamily Assisted
25 Housing Reform and Affordability Housing Act;

1 (C) housing that is assisted under section
2 202 of the Housing Act of 1959 (12 U.S.C.
3 1701q);

4 (D) housing that is assisted under section
5 202 of the Housing Act of 1959 (12 U.S.C.
6 1701q), as such section existed before the en-
7 actment of the Cranston-Gonzales National Af-
8 fordable Housing Act;

9 (E) housing that is assisted under section
10 811 of the Cranston-Gonzales National Afford-
11 able Housing Act (42 U.S.C. 8013); or

12 (F) housing or vacant land that is subject
13 to a use agreement;

14 (3) the term “project-based assistance”
15 means—

16 (A) assistance provided under section 8(b)
17 of the United States Housing Act of 1937 (42
18 U.S.C. 1437f(b));

19 (B) assistance for housing constructed or
20 substantially rehabilitated pursuant to assist-
21 ance provided under section 8(b)(2) of such Act
22 (as such section existed immediately before Oc-
23 tober 1, 1983);

1 (C) rent supplement payments under sec-
2 tion 101 of the Housing and Urban Develop-
3 ment Act of 1965 (12 U.S.C. 1701s);

4 (D) interest reduction payments under sec-
5 tion 236 and/or additional assistance payments
6 under section 236(f)(2) of the National Hous-
7 ing Act (12 U.S.C. 1715z-1);

8 (E) assistance payments made under sec-
9 tion 202(e)(2) of the Housing Act of 1959 (12
10 U.S.C. 1701q(e)(2)); and

11 (F) assistance payments made under sec-
12 tion 811(d)(2) of the Cranston-Gonzalez Na-
13 tional Affordable Housing Act (42 U.S.C.
14 8013(d)(2));

15 (4) the term “receiving project or projects”
16 means the multifamily housing project or projects to
17 which some or all of the project-based assistance,
18 debt, and statutorily required low-income and very
19 low-income use restrictions are to be transferred;

20 (5) the term “transferring project” means the
21 multifamily housing project which is transferring
22 some or all of the project-based assistance, debt, and
23 the statutorily required low-income and very low-in-
24 come use restrictions to the receiving project or
25 projects; and

1 (6) the term “Secretary” means the Secretary
2 of Housing and Urban Development.

3 (e) RESEARCH REPORT.—The Secretary shall con-
4 duct an evaluation of the transfer authority under this sec-
5 tion, including the effect of such transfers on the oper-
6 ational efficiency, contract rents, physical and financial
7 conditions, and long-term preservation of the affected
8 properties.

9 SEC. 210. (a) No assistance shall be provided under
10 section 8 of the United States Housing Act of 1937 (42
11 U.S.C. 1437f) to any individual who—

12 (1) is enrolled as a student at an institution of
13 higher education (as defined under section 102 of
14 the Higher Education Act of 1965 (20 U.S.C.
15 1002));

16 (2) is under 24 years of age;

17 (3) is not a veteran;

18 (4) is unmarried;

19 (5) does not have a dependent child;

20 (6) is not a person with disabilities, as such
21 term is defined in section 3(b)(3)(E) of the United
22 States Housing Act of 1937 (42 U.S.C.
23 1437a(b)(3)(E)) and was not receiving assistance
24 under such section 8 as of November 30, 2005;

1 (7) is not a youth who left foster care at age
2 14 or older and is at risk of becoming homeless; and
3 (8) is not otherwise individually eligible, or has
4 parents who, individually or jointly, are not eligible,
5 to receive assistance under section 8 of the United
6 States Housing Act of 1937 (42 U.S.C. 1437f).

7 (b) For purposes of determining the eligibility of a
8 person to receive assistance under section 8 of the United
9 States Housing Act of 1937 (42 U.S.C. 1437f), any finan-
10 cial assistance (in excess of amounts received for tuition
11 and any other required fees and charges) that an indi-
12 vidual receives under the Higher Education Act of 1965
13 (20 U.S.C. 1001 et seq.), from private sources, or an insti-
14 tution of higher education (as defined under section 102
15 of the Higher Education Act of 1965 (20 U.S.C. 1002)),
16 shall be considered income to that individual, except for
17 a person over the age of 23 with dependent children.

18 SEC. 211. The funds made available for Native Alas-
19 kans under paragraph (1) under the heading “Native
20 American Programs” in title II of this Act shall be allo-
21 cated to the same Native Alaskan housing block grant re-
22 cipients that received funds in fiscal year 2005, and only
23 such recipients shall be eligible to apply for funds made
24 available under paragraph (3) of such heading.

1 SEC. 212. Notwithstanding any other provision of
2 law, in fiscal year 2020, in managing and disposing of any
3 multifamily property that is owned or has a mortgage held
4 by the Secretary of Housing and Urban Development, and
5 during the process of foreclosure on any property with a
6 contract for rental assistance payments under section 8
7 of the United States Housing Act of 1937 (42 U.S.C.
8 1437f) or other Federal programs, the Secretary shall
9 maintain any rental assistance payments under section 8
10 of the United States Housing Act of 1937 and other pro-
11 grams that are attached to any dwelling units in the prop-
12 erty. To the extent the Secretary determines, in consulta-
13 tion with the tenants and the local government, that such
14 a multifamily property owned or held by the Secretary is
15 not feasible for continued rental assistance payments
16 under such section 8 or other programs, based on consid-
17 eration of (1) the costs of rehabilitating and operating the
18 property and all available Federal, State, and local re-
19 sources, including rent adjustments under section 524 of
20 the Multifamily Assisted Housing Reform and Afford-
21 ability Act of 1997 (“MAHRAA”) (42 U.S.C. 1437f note)
22 and (2) environmental conditions that cannot be remedied
23 in a cost-effective fashion, the Secretary may, in consulta-
24 tion with the tenants of that property, contract for project-
25 based rental assistance payments with an owner or owners

1 of other existing housing properties, or provide other rent-
2 al assistance. The Secretary shall also take appropriate
3 steps to ensure that project-based contracts remain in ef-
4 fect prior to foreclosure, subject to the exercise of contrac-
5 tual abatement remedies to assist relocation of tenants for
6 imminent major threats to health and safety after written
7 notice to and informed consent of the affected tenants and
8 use of other available remedies, such as partial abatements
9 or receivership. After disposition of any multifamily prop-
10 erty described under this section, the contract and allow-
11 able rent levels on such properties shall be subject to the
12 requirements under section 524 of MAHRAA.

13 SEC. 213. Public housing agencies that own and oper-
14 ate 400 or fewer public housing units may elect to be ex-
15 empt from any asset management requirement imposed by
16 the Secretary of Housing and Urban Development in con-
17 nection with the operating fund rule: *Provided*, That an
18 agency seeking a discontinuance of a reduction of subsidy
19 under the operating fund formula shall not be exempt
20 from asset management requirements.

21 SEC. 214. With respect to the use of amounts pro-
22 vided in this Act and in future Acts for the operation, cap-
23 ital improvement and management of public housing as
24 authorized by sections 9(d) and 9(e) of the United States
25 Housing Act of 1937 (42 U.S.C. 1437g(d) and (e)), the

1 Secretary shall not impose any requirement or guideline
2 relating to asset management that restricts or limits in
3 any way the use of capital funds for central office costs
4 pursuant to section 9(g)(1) or 9(g)(2) of the United States
5 Housing Act of 1937 (42 U.S.C. 1437g(g)(1), (2)): *Pro-*
6 *vided*, That a public housing agency may not use capital
7 funds authorized under section 9(d) for activities that are
8 eligible under section 9(e) for assistance with amounts
9 from the operating fund in excess of the amounts per-
10 mitted under section 9(g)(1) or 9(g)(2).

11 SEC. 215. No official or employee of the Department
12 of Housing and Urban Development shall be designated
13 as an allotment holder unless the Office of the Chief Fi-
14 nancial Officer has determined that such allotment holder
15 has implemented an adequate system of funds control and
16 has received training in funds control procedures and di-
17 rectives. The Chief Financial Officer shall ensure that
18 there is a trained allotment holder for each HUD appro-
19 priation under the accounts “Executive Offices”, “Admin-
20 istrative Support Offices”, “Program Offices”, “Govern-
21 ment National Mortgage Association—Guarantees of
22 Mortgage-Backed Securities Loan Guarantee Program
23 Account”, and “Office of Inspector General” within the
24 Department of Housing and Urban Development.

1 SEC. 216. The Secretary of the Department of Hous-
2 ing and Urban Development shall, for fiscal year 2020,
3 notify the public through the Federal Register and other
4 means, as determined appropriate, of the issuance of a no-
5 tice of the availability of assistance or notice of funding
6 availability (NOFA) for any program or discretionary
7 fund administered by the Secretary that is to be competi-
8 tively awarded. Notwithstanding any other provision of
9 law, for fiscal year 2020, the Secretary may make the
10 NOFA available only on the Internet at the appropriate
11 Government web site or through other electronic media,
12 as determined by the Secretary.

13 SEC. 217. Payment of attorney fees in program-re-
14 lated litigation shall be paid from the individual program
15 office and Office of General Counsel salaries and expenses
16 appropriations. The annual budget submission for the pro-
17 gram offices and the Office of General Counsel shall in-
18 clude any such projected litigation costs for attorney fees
19 as a separate line item request. No funds provided in this
20 title may be used to pay any such litigation costs for attor-
21 ney fees until the Department submits for review a spend-
22 ing plan for such costs to the House and Senate Commit-
23 tees on Appropriations.

24 SEC. 218. The Secretary is authorized to transfer up
25 to 10 percent or \$5,000,000, whichever is less, of funds

1 appropriated for any office under the headings “Adminis-
2 trative Support Offices” or “Program Offices” to any
3 other such office or account: *Provided*, That no appropria-
4 tion for any such office or account shall be increased or
5 decreased by more than 10 percent or \$5,000,000, which-
6 ever is less, without prior written approval of the House
7 and Senate Committees on Appropriations: *Provided fur-*
8 *ther*, That the Secretary shall provide notification to such
9 Committees 3 business days in advance of any such trans-
10 fers under this section up to 10 percent or \$5,000,000,
11 whichever is less.

12 SEC. 219. (a) Any entity receiving housing assistance
13 payments shall maintain decent, safe, and sanitary condi-
14 tions, as determined by the Secretary of Housing and
15 Urban Development (in this section referred to as the
16 “Secretary”), and comply with any standards under appli-
17 cable State or local laws, rules, ordinances, or regulations
18 relating to the physical condition of any property covered
19 under a housing assistance payment contract.

20 (b) The Secretary shall take action under subsection
21 (c) when a multifamily housing project with a section 8
22 contract or contract for similar project-based assistance—

23 (1) receives a Uniform Physical Condition
24 Standards (UPCS) score of 60 or less; or

1 (2) fails to certify in writing to the Secretary
2 within 3 days that all Exigent Health and Safety de-
3 ficiencies identified by the inspector at the project
4 have been corrected.

5 Such requirements shall apply to insured and noninsured
6 projects with assistance attached to the units under sec-
7 tion 8 of the United States Housing Act of 1937 (42
8 U.S.C. 1437f), but do not apply to such units assisted
9 under section 8(o)(13) (42 U.S.C. 1437f(o)(13)) or to
10 public housing units assisted with capital or operating
11 funds under section 9 of the United States Housing Act
12 of 1937 (42 U.S.C. 1437g).

13 (c)(1) Within 15 days of the issuance of the REAC
14 inspection, the Secretary must provide the owner with a
15 Notice of Default with a specified timetable, determined
16 by the Secretary, for correcting all deficiencies. The Sec-
17 retary must also provide a copy of the Notice of Default
18 to the tenants, the local government, any mortgagees, and
19 any contract administrator. If the owner's appeal results
20 in a UPCS score of 60 or above, the Secretary may with-
21 draw the Notice of Default.

22 (2) At the end of the time period for correcting
23 all deficiencies specified in the Notice of Default, if
24 the owner fails to fully correct such deficiencies, the
25 Secretary may—

1 (A) require immediate replacement of
2 project management with a management agent
3 approved by the Secretary;

4 (B) impose civil money penalties, which
5 shall be used solely for the purpose of sup-
6 porting safe and sanitary conditions at applica-
7 ble properties, as designated by the Secretary,
8 with priority given to the tenants of the prop-
9 erty affected by the penalty;

10 (C) abate the section 8 contract, including
11 partial abatement, as determined by the Sec-
12 retary, until all deficiencies have been corrected;

13 (D) pursue transfer of the project to an
14 owner, approved by the Secretary under estab-
15 lished procedures, which will be obligated to
16 promptly make all required repairs and to ac-
17 cept renewal of the assistance contract as long
18 as such renewal is offered;

19 (E) transfer the existing section 8 contract
20 to another project or projects and owner or
21 owners;

22 (F) pursue exclusionary sanctions, includ-
23 ing suspensions or debarments from Federal
24 programs;

1 (G) seek judicial appointment of a receiver
2 to manage the property and cure all project de-
3 ficiencies or seek a judicial order of specific per-
4 formance requiring the owner to cure all project
5 deficiencies;

6 (H) work with the owner, lender, or other
7 related party to stabilize the property in an at-
8 tempt to preserve the property through compli-
9 ance, transfer of ownership, or an infusion of
10 capital provided by a third-party that requires
11 time to effectuate; or

12 (I) take any other regulatory or contrac-
13 tual remedies available as deemed necessary
14 and appropriate by the Secretary.

15 (d) The Secretary shall also take appropriate steps
16 to ensure that project-based contracts remain in effect,
17 subject to the exercise of contractual abatement remedies
18 to assist relocation of tenants for major threats to health
19 and safety after written notice to the affected tenants. To
20 the extent the Secretary determines, in consultation with
21 the tenants and the local government, that the property
22 is not feasible for continued rental assistance payments
23 under such section 8 or other programs, based on consid-
24 eration of—

1 (1) the costs of rehabilitating and operating the
2 property and all available Federal, State, and local
3 resources, including rent adjustments under section
4 524 of the Multifamily Assisted Housing Reform
5 and Affordability Act of 1997 (“MAHRAA”); and

6 (2) environmental conditions that cannot be
7 remedied in a cost-effective fashion, the Secretary
8 may contract for project-based rental assistance pay-
9 ments with an owner or owners of other existing
10 housing properties, or provide other rental assist-
11 ance.

12 (e) The Secretary shall report quarterly on all prop-
13 erties covered by this section that are assessed through
14 the Real Estate Assessment Center and have UPCS phys-
15 ical inspection scores of less than 60 or have received an
16 unsatisfactory management and occupancy review within
17 the past 36 months. The report shall include—

18 (1) the enforcement actions being taken to ad-
19 dress such conditions, including imposition of civil
20 money penalties and termination of subsidies, and
21 identify properties that have such conditions mul-
22 tiple times;

23 (2) actions that the Department of Housing
24 and Urban Development is taking to protect tenants
25 of such identified properties; and

1 (3) any administrative or legislative rec-
2 ommendations to further improve the living condi-
3 tions at properties covered under a housing assist-
4 ance payment contract.

5 This report shall be due to the Senate and House Commit-
6 tees on Appropriations no later than 30 days after the
7 enactment of this Act, and on the first business day of
8 each Federal fiscal year quarter thereafter while this sec-
9 tion remains in effect.

10 SEC. 220. None of the funds made available by this
11 Act, or any other Act, for purposes authorized under sec-
12 tion 8 (only with respect to the tenant-based rental assist-
13 ance program) and section 9 of the United States Housing
14 Act of 1937 (42 U.S.C. 1437 et seq.), may be used by
15 any public housing agency for any amount of salary, in-
16 cluding bonuses, for the chief executive officer of which,
17 or any other official or employee of which, that exceeds
18 the annual rate of basic pay payable for a position at level
19 IV of the Executive Schedule at any time during any pub-
20 lic housing agency fiscal year 2020.

21 SEC. 221. None of the funds in this Act provided to
22 the Department of Housing and Urban Development may
23 be used to make a grant award unless the Secretary noti-
24 fies the House and Senate Committees on Appropriations
25 not less than 3 full business days before any project,

1 State, locality, housing authority, tribe, nonprofit organi-
2 zation, or other entity selected to receive a grant award
3 is announced by the Department or its offices.

4 SEC. 222. None of the funds made available by this
5 Act may be used to require or enforce the Physical Needs
6 Assessment (PNA).

7 SEC. 223. None of the funds made available in this
8 Act shall be used by the Federal Housing Administration,
9 the Government National Mortgage Administration, or the
10 Department of Housing and Urban Development to in-
11 sure, securitize, or establish a Federal guarantee of any
12 mortgage or mortgage backed security that refinances or
13 otherwise replaces a mortgage that has been subject to
14 eminent domain condemnation or seizure, by a State, mu-
15 nicipality, or any other political subdivision of a State.

16 SEC. 224. None of the funds made available by this
17 Act may be used to terminate the status of a unit of gen-
18 eral local government as a metropolitan city (as defined
19 in section 102 of the Housing and Community Develop-
20 ment Act of 1974 (42 U.S.C. 5302)) with respect to
21 grants under section 106 of such Act (42 U.S.C. 5306).

22 SEC. 225. Amounts made available under this Act
23 which are either appropriated, allocated, advanced on a
24 reimbursable basis, or transferred to the Office of Policy
25 Development and Research in the Department of Housing

1 and Urban Development and functions thereof, for re-
2 search, evaluation, or statistical purposes, and which are
3 unexpended at the time of completion of a contract, grant,
4 or cooperative agreement, may be deobligated and shall
5 immediately become available and may be reobligated in
6 that fiscal year or the subsequent fiscal year for the re-
7 search, evaluation, or statistical purposes for which the
8 amounts are made available to that Office subject to re-
9 programming requirements in section 405 of this Act.

10 SEC. 226. None of the funds provided in this Act or
11 any other act may be used for awards, including perform-
12 ance, special act, or spot, for any employee of the Depart-
13 ment of Housing and Urban Development subject to ad-
14 ministrative discipline (including suspension from work),
15 in this fiscal year, but this prohibition shall not be effec-
16 tive prior to the effective date of any such administrative
17 discipline or after any final decision over-turning such dis-
18 cipline.

19 SEC. 227. Funds made available in this title under
20 the heading “Homeless Assistance Grants” may be used
21 by the Secretary to participate in Performance Partner-
22 ship Pilots authorized under section 526 of division H of
23 Public Law 113–76, section 524 of division G of Public
24 Law 113–235, section 525 of division H of Public Law
25 114–113, section 525 of division H of Public Law 115–

1 31, section 525 of division H of Public Law 115–141, sec-
2 tion 524 of division B of Public Law 115–245 and such
3 authorities as are enacted for Performance Partnership
4 Pilots in an appropriations Act for fiscal year 2020: *Pro-*
5 *vided*, That such participation shall be limited to no more
6 than 10 continuums of care and housing activities to im-
7 prove outcomes for disconnected youth.

8 SEC. 228. With respect to grant amounts awarded
9 under the heading “Homeless Assistance Grants” for fis-
10 cal years 2015 through 2020 for the continuum of care
11 (CoC) program as authorized under subtitle C of title IV
12 of the McKinney-Vento Homeless Assistance Act, costs
13 paid by program income of grant recipients may count to-
14 ward meeting the recipient’s matching requirements, pro-
15 vided the costs are eligible CoC costs that supplement the
16 recipient’s CoC program.

17 SEC. 229. (a) From amounts made available under
18 this title under the heading “Homeless Assistance
19 Grants”, the Secretary may award 1-year transition
20 grants to recipients of funds for activities under subtitle
21 C of the McKinney-Vento Homeless Assistance Act (42
22 U.S.C. 11381 et seq.) to transition from one Continuum
23 of Care program component to another.

24 (b) In order to be eligible to receive a transition
25 grant, the funding recipient must have the consent of the

1 Continuum of Care and meet standards determined by the
2 Secretary.

3 SEC. 230. None of the funds made available by this
4 Act may be used by the Department of Housing and
5 Urban Development to direct a grantee to undertake spe-
6 cific changes to existing zoning laws as part of carrying
7 out the final rule entitled “Affirmatively Furthering Fair
8 Housing” (80 Fed. Reg. 42272 (July 16, 2015)) or the
9 notice entitled “Affirmatively Furthering Fair Housing
10 Assessment Tool” (79 Fed. Reg. 57949 (September 26,
11 2014)).

12 SEC. 231. (a) Amounts recaptured from funds appro-
13 priated for this or any succeeding fiscal year under the
14 heading “Department of Housing and Urban Develop-
15 ment—Community Planning and Development—Home-
16 less Assistance Grants” shall become available until ex-
17 pended not later than the end of the fifth fiscal year after
18 the last fiscal year for which such funds are available and
19 shall be available, in addition to rental assistance amounts
20 that were recaptured and made available until expended
21 under such heading by any prior Act, and in addition to
22 such other funds as may be available for such purposes,
23 for the following purposes:

24 (1) For grants under the Continuum of Care
25 program under subtitle C of title IV of the McKin-

1 ney-Vento Homeless Assistance Act (42 U.S.C.
2 11381 et seq.);

3 (2) For grants under the Emergency Solutions
4 Grant program under subtitle B of title IV of such
5 Act (42 U.S.C. 11371 et seq.);

6 (3) Not less than 10 percent of the amounts
7 shall be used only for grants in rural areas under
8 the Continuum of Care program, to include activities
9 eligible under the Rural Housing Stability Assist-
10 ance program under section 491 of such Act (42
11 U.S.C. 11408) that are not otherwise eligible under
12 the Continuum of Care program; and

13 (4) Not less than 10 percent of the amounts
14 shall be for emergency solutions grants for disaster
15 areas as authorized by subsection (c).

16 (b) Prior to the use of any recaptured amounts re-
17 ferred to in subsection (a), including competing, awarding,
18 or obligating such amounts, the Secretary shall submit a
19 plan in accordance with subsection (a) that specifies the
20 planned use of any such amounts to the Committees on
21 Appropriations of the House of Representatives and the
22 Senate, and receive prior written approval of such plan,
23 except that use of amounts in the plan for the purposes
24 specified in subsection (a)(4) may begin once such plan
25 is submitted to such Committees.

1 (c)(1) The Secretary may make grants under the
2 Emergency Solutions Grants program under subtitle B of
3 title IV of the McKinney-Vento Homeless Assistance Act
4 (42 U.S.C. 11371 et seq.) to States or local governments
5 to address the needs of homeless individuals or families
6 or individuals or families at risk of homelessness in areas
7 affected by a major disaster declared pursuant to the Rob-
8 ert T. Stafford Disaster Relief and Emergency Assistance
9 Act (42 U.S.C. 5121 et seq.) on or after the date of enact-
10 ment of this Act, whose needs are not otherwise served
11 or fully met by existing Federal disaster relief programs,
12 including the Transitional Sheltering Assistance program
13 under such Act (42 U.S.C. 5170b).

14 (2) For purposes of grants under paragraph (1), the
15 Secretary may suspend all consultation, citizen participa-
16 tion, and matching requirements.

17 SEC. 232. The Promise Zone designations and Prom-
18 ise Zone Designation Agreements entered into pursuant
19 to such designations, made by the Secretary of Housing
20 and Urban Development in prior fiscal years, shall remain
21 in effect in accordance with the terms and conditions of
22 such agreements.

23 SEC. 233. None of the funds made available by this
24 Act may be used to establish and apply review criteria,
25 including rating factors or preference points, for participa-

1 tion in or coordination with EnVision Centers, in the eval-
2 uation, selection, and award of any funds made available
3 and requiring competitive selection under this Act, except
4 with respect to any such funds otherwise authorized for
5 EnVision Center purposes under this Act.

6 SEC. 234. (a) The Secretary of Housing and Urban
7 Development shall make available to grantees under pro-
8 grams included under the Department’s Consolidated
9 Planning Process, not later than the expiration of the 90-
10 day period beginning on the date of the enactment of this
11 Act, the prepopulated up-to-date housing and economic
12 data and data for both broadband and resilience assess-
13 ment requirements, as referred to in the HUD Response
14 to the third comment under section III.A. of the Supple-
15 mentary Information included with the final rule entitled
16 “Modernizing HUD’s Consolidated Planning Process To
17 Narrow the Digital Divide and Increase Resilience to Nat-
18 ural Hazards”, published by the Department of Housing
19 and Urban Development in the Federal Register on Fri-
20 day, December 16, 2016 (81 Fed. Reg. 91000).

21 (b) The Secretary of Housing and Urban Develop-
22 ment shall require such grantees to incorporate the
23 broadband and resilience components into the Consoli-
24 dated Plan process not later than the expiration of the

1 270-day period beginning on the date of the enactment
2 of this Act.

3 SEC. 235. None of the funds made available by this
4 or any prior Act may be used to require or enforce any
5 changes to the terms and conditions of the public housing
6 annual contributions contract between the Secretary and
7 any public housing agency, as such contract was in effect
8 as of December 31, 2017, unless such changes are mutu-
9 ally agreed upon by the Secretary and such agency: *Pro-*
10 *vided*, That such agreement by an agency may be indi-
11 cated only by a written amendment to the terms and con-
12 ditions containing the duly authorized signature of its
13 chief executive: *Provided further*, That the Secretary may
14 not withhold funds to compel such agreement by an agen-
15 cy which certifies to its compliance with its contract.

16 SEC. 236. None of the amounts made available in this
17 Act or in the Department of Housing and Urban Develop-
18 ment Appropriations Act, 2019 (Public Law 116–6) may
19 be used to consider Family Self-Sufficiency performance
20 measures or performance scores in determining funding
21 awards for programs receiving Family Self-Sufficiency
22 program coordinator funding provided in this Act or in
23 the Department of Housing and Urban Development Ap-
24 propriations Act, 2019 (Public Law 116–6).

1 SEC. 237. (a) All unobligated balances from funds ap-
2 propriated under the heading “Department of Housing
3 and Urban Development Public and Indian Housing—
4 Tenant Based Rental Assistance” in chapter 10 of title
5 I of division B of the Consolidated Security, Disaster As-
6 sistance, and Continuing Appropriations Act, 2009 (Pub-
7 lic Law 110–329) are hereby rescinded.

8 (b) All unobligated balances from funds appropriated
9 under the heading “Department of Housing and Urban
10 Development Public and Indian Housing—Project-Based
11 Rental Assistance” in chapter 10 of title I of division B
12 of the Consolidated Security, Disaster Assistance, and
13 Continuing Appropriations Act, 2009 (Public Law 110–
14 329; 122 Stat. 324) (as amended by section 1203 of Pub-
15 lic Law 111–32; 123 Stat. 1859) are hereby rescinded.

16 SEC. 238. Any public housing agency designated as
17 a Moving to Work agency pursuant to section 239 of
18 (Public Law 114–113) may, upon such designation, use
19 funds (except for special purpose funding, including spe-
20 cial purpose vouchers) previously allocated to any such
21 public housing agency under section 8 or 9 of the United
22 States Housing Act of 1937, including any reserve funds
23 held by the public housing agency or funds held by the
24 Department of Housing and Urban Development, pursu-
25 ant to the authority for use of section 8 or 9 funding pro-

1 vided under such section and section 204 of title II of the
2 Departments of Veterans Affairs and Housing and Urban
3 Development and Independent Agencies Appropriations
4 Act, 1996 (Public Law 104–134), notwithstanding the
5 purposes for which such funds were appropriated.

6 SEC. 239. None of the amounts made available by
7 this Act or by Public Law 116–6 may be used to prohibit
8 any public housing agency under receivership or the direc-
9 tion of a Federal monitor from applying for, receiving, or
10 using funds made available under the heading “Public
11 Housing Capital Fund” for competitive grants to evaluate
12 and reduce lead-based paint hazards in this Act or that
13 remain available and not awarded from prior Acts, or be
14 used to prohibit a public housing agency from using such
15 funds to carry out any required work pursuant to a settle-
16 ment agreement, consent decree, voluntary agreement, or
17 similar document for a violation of the Lead Safe Housing
18 or Lead Disclosure Rules.

19 This title may be cited as the “Department of Hous-
20 ing and Urban Development Appropriations Act, 2020”.

1193

1 TITLE III
2 RELATED AGENCIES
3 ACCESS BOARD
4 SALARIES AND EXPENSES

5 For expenses necessary for the Access Board, as au-
6 thorized by section 502 of the Rehabilitation Act of 1973,
7 as amended, \$9,200,000: *Provided*, That, notwithstanding
8 any other provision of law, there may be credited to this
9 appropriation funds received for publications and training
10 expenses: *Provided further*, That of this amount, \$800,000
11 shall be for activities authorized under section 432 of Pub-
12 lic Law 115–254.

13 FEDERAL MARITIME COMMISSION
14 SALARIES AND EXPENSES

15 For necessary expenses of the Federal Maritime
16 Commission as authorized by section 201(d) of the Mer-
17 chant Marine Act, 1936, as amended (46 U.S.C. 307), in-
18 cluding services as authorized by 5 U.S.C. 3109; hire of
19 passenger motor vehicles as authorized by 31 U.S.C.
20 1343(b); and uniforms or allowances therefore, as author-
21 ized by 5 U.S.C. 5901–5902, \$28,000,000: *Provided*, That
22 not to exceed \$2,000 shall be available for official recep-
23 tion and representation expenses.

1 NATIONAL RAILROAD PASSENGER CORPORATION
2 OFFICE OF INSPECTOR GENERAL
3 SALARIES AND EXPENSES

4 For necessary expenses of the Office of Inspector
5 General for the National Railroad Passenger Corporation
6 to carry out the provisions of the Inspector General Act
7 of 1978, as amended, \$24,274,000: *Provided*, That the In-
8 spector General shall have all necessary authority, in car-
9 rying out the duties specified in the Inspector General Act,
10 as amended (5 U.S.C. App. 3), to investigate allegations
11 of fraud, including false statements to the government (18
12 U.S.C. 1001), by any person or entity that is subject to
13 regulation by the National Railroad Passenger Corpora-
14 tion: *Provided further*, That the Inspector General may
15 enter into contracts and other arrangements for audits,
16 studies, analyses, and other services with public agencies
17 and with private persons, subject to the applicable laws
18 and regulations that govern the obtaining of such services
19 within the National Railroad Passenger Corporation: *Pro-*
20 *vided further*, That the Inspector General may select, ap-
21 point, and employ such officers and employees as may be
22 necessary for carrying out the functions, powers, and du-
23 ties of the Office of Inspector General, subject to the appli-
24 cable laws and regulations that govern such selections, ap-
25 pointments, and employment within the Corporation: *Pro-*

1 *vided further*, That concurrent with the President's budget
2 request for fiscal year 2021, the Inspector General shall
3 submit to the House and Senate Committees on Appro-
4 priations a budget request for fiscal year 2021 in similar
5 format and substance to those submitted by executive
6 agencies of the Federal Government.

7 NATIONAL TRANSPORTATION SAFETY BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the National Transpor-
10 tation Safety Board, including hire of passenger motor ve-
11 hicles and aircraft; services as authorized by 5 U.S.C.
12 3109, but at rates for individuals not to exceed the per
13 diem rate equivalent to the rate for a GS-15; uniforms,
14 or allowances therefor, as authorized by law (5 U.S.C.
15 5901-5902), \$110,400,000, of which not to exceed \$2,000
16 may be used for official reception and representation ex-
17 penses. The amounts made available to the National
18 Transportation Safety Board in this Act include amounts
19 necessary to make lease payments on an obligation in-
20 curred in fiscal year 2001 for a capital lease.

21 NEIGHBORHOOD REINVESTMENT CORPORATION

22 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT
23 CORPORATION

24 For payment to the Neighborhood Reinvestment Cor-
25 poration for use in neighborhood reinvestment activities,

1 as authorized by the Neighborhood Reinvestment Corpora-
2 tion Act (42 U.S.C. 8101–8107), \$157,500,000, of which
3 \$5,000,000 shall be for a multi-family rental housing pro-
4 gram: *Provided*, That an additional \$1,000,000, to remain
5 available until September 30, 2023, shall be for the pro-
6 motion and development of shared equity housing models.

7 SURFACE TRANSPORTATION BOARD

8 SALARIES AND EXPENSES

9 For necessary expenses of the Surface Transpor-
10 tation Board, including services authorized by 5 U.S.C.
11 3109, \$37,100,000: *Provided*, That notwithstanding any
12 other provision of law, not to exceed \$1,250,000 from fees
13 established by the Chairman of the Surface Transpor-
14 tation Board shall be credited to this appropriation as off-
15 setting collections and used for necessary and authorized
16 expenses under this heading: *Provided further*, That the
17 sum herein appropriated from the general fund shall be
18 reduced on a dollar-for-dollar basis as such offsetting col-
19 lections are received during fiscal year 2020, to result in
20 a final appropriation from the general fund estimated at
21 no more than \$35,850,000.

1 UNITED STATES INTERAGENCY COUNCIL ON
2 HOMELESSNESS
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-
5 ries, authorized travel, hire of passenger motor vehicles,
6 the rental of conference rooms, and the employment of ex-
7 perts and consultants under section 3109 of title 5, United
8 States Code) of the United States Interagency Council on
9 Homelessness in carrying out the functions pursuant to
10 title II of the McKinney-Vento Homeless Assistance Act,
11 as amended, \$3,800,000, to remain available until Sep-
12 tember 30, 2021.

1 TITLE IV

2 GENERAL PROVISIONS—THIS ACT

3 SEC. 401. None of the funds in this Act shall be used
4 for the planning or execution of any program to pay the
5 expenses of, or otherwise compensate, non-Federal parties
6 intervening in regulatory or adjudicatory proceedings
7 funded in this Act.

8 SEC. 402. None of the funds appropriated in this Act
9 shall remain available for obligation beyond the current
10 fiscal year, nor may any be transferred to other appropria-
11 tions, unless expressly so provided herein.

12 SEC. 403. The expenditure of any appropriation
13 under this Act for any consulting service through a pro-
14 curement contract pursuant to section 3109 of title 5,
15 United States Code, shall be limited to those contracts
16 where such expenditures are a matter of public record and
17 available for public inspection, except where otherwise pro-
18 vided under existing law, or under existing Executive order
19 issued pursuant to existing law.

20 SEC. 404. (a) None of the funds made available in
21 this Act may be obligated or expended for any employee
22 training that—

23 (1) does not meet identified needs for knowl-
24 edge, skills, and abilities bearing directly upon the
25 performance of official duties;

1 (2) contains elements likely to induce high lev-
2 els of emotional response or psychological stress in
3 some participants;

4 (3) does not require prior employee notification
5 of the content and methods to be used in the train-
6 ing and written end of course evaluation;

7 (4) contains any methods or content associated
8 with religious or quasi-religious belief systems or
9 “new age” belief systems as defined in Equal Em-
10 ployment Opportunity Commission Notice N-
11 915.022, dated September 2, 1988; or

12 (5) is offensive to, or designed to change, par-
13 ticipants’ personal values or lifestyle outside the
14 workplace.

15 (b) Nothing in this section shall prohibit, restrict, or
16 otherwise preclude an agency from conducting training
17 bearing directly upon the performance of official duties.

18 SEC. 405. Except as otherwise provided in this Act,
19 none of the funds provided in this Act, provided by pre-
20 vious appropriations Acts to the agencies or entities fund-
21 ed in this Act that remain available for obligation or ex-
22 penditure in fiscal year 2020, or provided from any ac-
23 counts in the Treasury derived by the collection of fees
24 and available to the agencies funded by this Act, shall be

1 available for obligation or expenditure through a re-
2 programming of funds that—

3 (1) creates a new program;

4 (2) eliminates a program, project, or activity;

5 (3) increases funds or personnel for any pro-
6 gram, project, or activity for which funds have been
7 denied or restricted by the Congress;

8 (4) proposes to use funds directed for a specific
9 activity by either the House or Senate Committees
10 on Appropriations for a different purpose;

11 (5) augments existing programs, projects, or ac-
12 tivities in excess of \$5,000,000 or 10 percent, which-
13 ever is less;

14 (6) reduces existing programs, projects, or ac-
15 tivities by \$5,000,000 or 10 percent, whichever is
16 less; or

17 (7) creates, reorganizes, or restructures a
18 branch, division, office, bureau, board, commission,
19 agency, administration, or department different from
20 the budget justifications submitted to the Commit-
21 tees on Appropriations or the table accompanying
22 the joint explanatory statement accompanying this
23 Act, whichever is more detailed, unless prior ap-
24 proval is received from the House and Senate Com-
25 mittees on Appropriations: *Provided*, That not later

1 than 60 days after the date of enactment of this
2 Act, each agency funded by this Act shall submit a
3 report to the Committees on Appropriations of the
4 Senate and of the House of Representatives to es-
5 tablish the baseline for application of reprogram-
6 ming and transfer authorities for the current fiscal
7 year: *Provided further*, That the report shall in-
8 clude—

9 (A) a table for each appropriation with a
10 separate column to display the prior year en-
11 acted level, the President’s budget request, ad-
12 justments made by Congress, adjustments due
13 to enacted rescissions, if appropriate, and the
14 fiscal year enacted level;

15 (B) a delineation in the table for each ap-
16 propriation and its respective prior year enacted
17 level by object class and program, project, and
18 activity as detailed in this Act, the table accom-
19 panying the explanatory statement accom-
20 panying this Act, accompanying reports of the
21 House and Senate Committee on Appropria-
22 tions, or in the budget appendix for the respec-
23 tive appropriations, whichever is more detailed,
24 and shall apply to all items for which a dollar
25 amount is specified and to all programs for

1 which new budget (obligational) authority is
2 provided, as well as to discretionary grants and
3 discretionary grant allocations; and

4 (C) an identification of items of special
5 congressional interest.

6 SEC. 406. Except as otherwise specifically provided
7 by law, not to exceed 50 percent of unobligated balances
8 remaining available at the end of fiscal year 2020 from
9 appropriations made available for salaries and expenses
10 for fiscal year 2020 in this Act, shall remain available
11 through September 30, 2021, for each such account for
12 the purposes authorized: *Provided*, That a request shall
13 be submitted to the House and Senate Committees on Ap-
14 propriations for approval prior to the expenditure of such
15 funds: *Provided further*, That these requests shall be made
16 in compliance with reprogramming guidelines under sec-
17 tion 405 of this Act.

18 SEC. 407. No funds in this Act may be used to sup-
19 port any Federal, State, or local projects that seek to use
20 the power of eminent domain, unless eminent domain is
21 employed only for a public use: *Provided*, That for pur-
22 poses of this section, public use shall not be construed to
23 include economic development that primarily benefits pri-
24 vate entities: *Provided further*, That any use of funds for
25 mass transit, railroad, airport, seaport or highway

1 projects, as well as utility projects which benefit or serve
2 the general public (including energy-related, communica-
3 tion-related, water-related and wastewater-related infra-
4 structure), other structures designated for use by the gen-
5 eral public or which have other common-carrier or public-
6 utility functions that serve the general public and are sub-
7 ject to regulation and oversight by the government, and
8 projects for the removal of an immediate threat to public
9 health and safety or brownfields as defined in the Small
10 Business Liability Relief and Brownfields Revitalization
11 Act (Public Law 107–118) shall be considered a public
12 use for purposes of eminent domain.

13 SEC. 408. None of the funds made available in this
14 Act may be transferred to any department, agency, or in-
15 strumentality of the United States Government, except
16 pursuant to a transfer made by, or transfer authority pro-
17 vided in, this Act or any other appropriations Act.

18 SEC. 409. No part of any appropriation contained in
19 this Act shall be available to pay the salary for any person
20 filling a position, other than a temporary position, for-
21 merly held by an employee who has left to enter the Armed
22 Forces of the United States and has satisfactorily com-
23 pleted his or her period of active military or naval service,
24 and has within 90 days after his or her release from such
25 service or from hospitalization continuing after discharge

1 for a period of not more than 1 year, made application
2 for restoration to his or her former position and has been
3 certified by the Office of Personnel Management as still
4 qualified to perform the duties of his or her former posi-
5 tion and has not been restored thereto.

6 SEC. 410. No funds appropriated pursuant to this
7 Act may be expended by an entity unless the entity agrees
8 that in expending the assistance the entity will comply
9 with sections 2 through 4 of the Act of March 3, 1933
10 (41 U.S.C. 8301–8305, popularly known as the “Buy
11 American Act”).

12 SEC. 411. No funds appropriated or otherwise made
13 available under this Act shall be made available to any
14 person or entity that has been convicted of violating the
15 Buy American Act (41 U.S.C. 8301–8305).

16 SEC. 412. None of the funds made available in this
17 Act may be used for first-class airline accommodations in
18 contravention of sections 301–10.122 and 301–10.123 of
19 title 41, Code of Federal Regulations.

20 SEC. 413. (a) None of the funds made available by
21 this Act may be used to approve a new foreign air carrier
22 permit under sections 41301 through 41305 of title 49,
23 United States Code, or exemption application under sec-
24 tion 40109 of that title of an air carrier already holding
25 an air operators certificate issued by a country that is

1 party to the U.S.-E.U.-Iceland-Norway Air Transport
2 Agreement where such approval would contravene United
3 States law or Article 17 bis of the U.S.-E.U.-Iceland-Nor-
4 way Air Transport Agreement.

5 (b) Nothing in this section shall prohibit, restrict or
6 otherwise preclude the Secretary of Transportation from
7 granting a foreign air carrier permit or an exemption to
8 such an air carrier where such authorization is consistent
9 with the U.S.-E.U.-Iceland-Norway Air Transport Agree-
10 ment and United States law.

11 SEC. 414. None of the funds made available in this
12 Act may be used to send or otherwise pay for the attend-
13 ance of more than 50 employees of a single agency or de-
14 partment of the United States Government, who are sta-
15 tioned in the United States, at any single international
16 conference unless the relevant Secretary reports to the
17 House and Senate Committees on Appropriations at least
18 5 days in advance that such attendance is important to
19 the national interest: *Provided*, That for purposes of this
20 section the term “international conference” shall mean a
21 conference occurring outside of the United States attended
22 by representatives of the United States Government and
23 of foreign governments, international organizations, or
24 nongovernmental organizations.

1 SEC. 415. None of the funds appropriated or other-
2 wise made available under this Act may be used by the
3 Surface Transportation Board to charge or collect any fil-
4 ing fee for rate or practice complaints filed with the Board
5 in an amount in excess of the amount authorized for dis-
6 trict court civil suit filing fees under section 1914 of title
7 28, United States Code.

8 SEC. 416. None of the funds made available by this
9 Act may be used by the Department of Transportation,
10 the Department of Housing and Urban Development, or
11 any other Federal agency to lease or purchase new light
12 duty vehicles for any executive fleet, or for an agency's
13 fleet inventory, except in accordance with Presidential
14 Memorandum—Federal Fleet Performance, dated May
15 24, 2011.

16 SEC. 417. (a) None of the funds made available in
17 this Act may be used to maintain or establish a computer
18 network unless such network blocks the viewing,
19 downloading, and exchanging of pornography.

20 (b) Nothing in subsection (a) shall limit the use of
21 funds necessary for any Federal, State, tribal, or local law
22 enforcement agency or any other entity carrying out crimi-
23 nal investigations, prosecution, or adjudication activities.

24 SEC. 418. (a) None of the funds made available in
25 this Act may be used to deny an Inspector General funded

1 under this Act timely access to any records, documents,
2 or other materials available to the department or agency
3 over which that Inspector General has responsibilities
4 under the Inspector General Act of 1978 (5 U.S.C. App.),
5 or to prevent or impede that Inspector General's access
6 to such records, documents, or other materials, under any
7 provision of law, except a provision of law that expressly
8 refers to the Inspector General and expressly limits the
9 Inspector General's right of access.

10 (b) A department or agency covered by this section
11 shall provide its Inspector General with access to all such
12 records, documents, and other materials in a timely man-
13 ner.

14 (c) Each Inspector General shall ensure compliance
15 with statutory limitations on disclosure relevant to the in-
16 formation provided by the establishment over which that
17 Inspector General has responsibilities under the Inspector
18 General Act of 1978 (5 U.S.C. App.).

19 (d) Each Inspector General covered by this section
20 shall report to the Committees on Appropriations of the
21 House of Representatives and the Senate within 5 cal-
22 endar days any failures to comply with this requirement.

23 SEC. 419. None of the funds appropriated or other-
24 wise made available by this Act may be used to pay award
25 or incentive fees for contractors whose performance has

1 been judged to be below satisfactory, behind schedule, over
2 budget, or has failed to meet the basic requirements of
3 a contract, unless the Agency determines that any such
4 deviations are due to unforeseeable events, government-
5 driven scope changes, or are not significant within the
6 overall scope of the project and/or program unless such
7 awards or incentive fees are consistent with 16.401(e)(2)
8 of the Federal Acquisition Regulations.

9 SEC. 420. Except as expressly provided otherwise,
10 any reference to “this Act” contained in this division shall
11 be treated as referring only to the provisions of this divi-
12 sion.

13 SEC. 421. None of the funds made available by this
14 Act may be used in contravention of section 5309(d)(2)
15 of title 49, United States Code.

16 SEC. 422. None of the funds made available by this
17 division may be used to issue rules or guidance in con-
18 travention of section 1210 of Public Law 115–254 (132
19 Stat. 3442) or section 312 of the Robert T. Stafford Dis-
20 aster Relief and Emergency Assistance Act (42 U.S.C.
21 5155).

22 SEC. 423. None of the funds made available by this
23 division may be used in contravention of section 2635.702
24 of title 5, Code of Federal Regulations.

1 SEC. 424. Of the unobligated balances of funds re-
2 maining from—

3 (1) Public Law 91–605, and any other Act, ap-
4 propriated to the “Rail Crossings Demonstration
5 Projects” account under Treasury Account Fund
6 Symbol 69X0555, a total of \$517,220.20 is hereby
7 permanently rescinded;

8 (2) Public Law 92–18, and any other Act, ap-
9 propriated to the “Darien Gap Highway” account
10 under Treasury Account Fund Symbol 69X0553, a
11 total of \$2,037,034.50 is hereby permanently re-
12 scinded;

13 (3) Public Law 93–87, and any other Act, ap-
14 propriated to the “Alaska Highway” account under
15 Treasury Account Fund Symbol 69X0537, a total of
16 \$62,861.61 is hereby permanently rescinded;

17 (4) Public Law 94–387, and any other Act, ap-
18 propriated to the “Railroad-Highway Crossings
19 Demonstration Projects” account under Treasury
20 Account Fund Symbol 69X0557, a total of
21 \$2,035,137.12 is hereby permanently rescinded;

22 (5) Public Law 97–257, and any other Act, ap-
23 propriated to the “Access Highways to Public Recre-
24 ation Areas on Certain Lakes” account under Treas-

1 ury Account Fund Symbol 69X0503, a total of
2 \$352,333.19 is hereby permanently rescinded;

3 (6) Public Law 99–190, and any other Act, ap-
4 propriated to the “Highway Beautification” account
5 under Treasury Account Fund Symbol 69X0540, a
6 total of \$488,909.57 is hereby permanently re-
7 scinded;

8 (7) Public Law 101–164, and any other Act,
9 appropriated to the “Highway Demonstration
10 Projects-Preliminary Engineering” account under
11 Treasury Account Fund Symbol 69X0583, a total of
12 \$2,601,431.71 is hereby permanently rescinded;

13 (8) Public Law 101–516, and any other Act,
14 appropriated to the “Highway Demonstration
15 Projects” account under Treasury Account Fund
16 Symbol 69X0598, a total of \$1,341 is hereby perma-
17 nently rescinded;

18 (9) Public Law 102–143, and any other Act,
19 appropriated to the “Highway Studies Feasibility,
20 Design, Environmental, Engineering” account under
21 Treasury Account Fund Symbol 69X0533, a total of
22 \$262,204.01 is hereby permanently rescinded;

23 (10) Public Law 103–331, and any other Act,
24 appropriated to the “Surface Transportation
25 Projects” account under Treasury Account Fund

1 Symbol 69X0505, a total of \$573,097.13 is hereby
2 permanently rescinded; and

3 (11) Public Law 107–87, and any other Act,
4 appropriated to the “Miscellaneous Highway
5 Project” account under Treasury Account Fund
6 Symbol 69X0641, a total of \$11,003,637 is hereby
7 permanently rescinded.

8 SEC. 425. (a) Section 127(l)(3)(A) of title 23, United
9 States Code, is amended—

10 (1) in the matter preceding clause (i), in the
11 first sentence, by striking “clause (i) or (ii)” and in-
12 serting “clauses (i) through (iv)”; and

13 (2) by adding at the end the following:

14 “(iii) The Wendell H. Ford (Western
15 Kentucky) Parkway (to be designated as a
16 spur of Interstate Route 69) from the
17 interchange with the William H. Natcher
18 Parkway in Ohio County, Kentucky, west
19 to the interchange of the Western Ken-
20 tucky Parkway with the Edward T.
21 Breathitt (Pennyrile) Parkway.

22 “(iv) The Edward T. Breathitt
23 (Pennyrile) Parkway (to be designated as a
24 spur of Interstate Route 69) from Inter-
25 state 24, north to Interstate 69.”.

1 (b) DESIGNATION AS HIGH PRIORITY CORRIDOR.—
2 Section 1105(e) of the Intermodal Surface Transportation
3 Efficiency Act of 1991 (Public Law 102–240; 105 Stat.
4 2032; 131 Stat. 797) is amended by adding at the end
5 the following:

6 “(91) The Wendell H. Ford (Western Ken-
7 tucky) Parkway from the interchange with the Wil-
8 liam H. Natcher Parkway in Ohio County, Ken-
9 tucky, west to the interchange of the Western Ken-
10 tucky Parkway with the Edward T. Breathitt
11 (Pennyrile) Parkway.”.

12 (c) DESIGNATION AS FUTURE INTERSTATE.—Section
13 1105(e)(5)(A) of the Intermodal Surface Transportation
14 Efficiency Act of 1991 (Public Law 102–240; 109 Stat.
15 597; 131 Stat. 797) is amended in the first sentence by
16 striking “and subsection (c)(90)” and inserting “sub-
17 section (c)(90), and subsection (c)(91)”.

18 (d) NUMBERING OF PARKWAY.—Section
19 1105(e)(5)(C)(i) of the Intermodal Surface Transpor-
20 tation Efficiency Act of 1991 (Public Law 102–240; 109
21 Stat. 598; 126 Stat. 426; 131 Stat. 797) is amended by
22 adding at the end the following: “The route referred to
23 in subsection (c)(91) is designated as Interstate Route I–
24 569.”.

1 (e) EXEMPTION.—Notwithstanding section 111 of
2 title 23, United States Code, if the segment of highway
3 described in paragraph (91) of section 1105(c) of the
4 Intermodal Surface Transportation Efficiency Act of 1991
5 (Public Law 102–240; 105 Stat. 2032; 131 Stat. 797) is
6 designated as a route on the Interstate System, any com-
7 mercial establishment operating legally in a rest area on
8 that segment before the date of that designation may con-
9 tinue to operate in the Interstate right-of-way, subject to
10 the Interstate access standards established under section
11 111 of that title.

12 This division may be cited as the “Transportation,
13 Housing and Urban Development, and Related Agencies
14 Appropriations Act, 2020”.

1 **DIVISION I—EXTENSIONS**

2 **TITLE I**

3 **IMMIGRATION EXTENSIONS**

4 SEC. 101. Section 401(b) of the Illegal Immigration
5 Reform and Immigrant Responsibility Act of 1996 (8
6 U.S.C. 1324a note) shall be applied by substituting “Sep-
7 tember 30, 2020” for “September 30, 2015”.

8 SEC. 102. Subclauses 101(a)(27)(C)(ii)(II) and (III)
9 of the Immigration and Nationality Act (8 U.S.C.
10 1101(a)(27)(C)(ii)(II) and (III)) shall be applied by sub-
11 stituting “September 30, 2020” for “September 30,
12 2015”.

13 SEC. 103. Section 220(c) of the Immigration and Na-
14 tionality Technical Corrections Act of 1994 (8 U.S.C.
15 1182 note) shall be applied by substituting “September
16 30, 2020” for “September 30, 2015”.

17 SEC. 104. Section 610(b) of the Departments of
18 Commerce, Justice, and State, the Judiciary, and Related
19 Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note)
20 shall be applied by substituting “September 30, 2020” for
21 “September 30, 2015”.

22 SEC. 105. Notwithstanding the numerical limitation
23 set forth in section 214(g)(1)(B) of the Immigration and
24 Nationality Act (8 U.S.C. 1184(g)(1)(B)), the Secretary
25 of Homeland Security, after consultation with the Sec-

1 retary of Labor, and upon the determination that the
2 needs of American businesses cannot be satisfied in fiscal
3 year 2020 with United States workers who are willing,
4 qualified, and able to perform temporary nonagricultural
5 labor, may increase the total number of aliens who may
6 receive a visa under section 101(a)(15)(H)(ii)(b) of such
7 Act (8 U.S.C. 1101(a)(15)(H)(ii)(b)) in such fiscal year
8 above such limitation by not more than the highest num-
9 ber of H-2B nonimmigrants who participated in the H-
10 2B returning worker program in any fiscal year in which
11 returning workers were exempt from such numerical limi-
12 tation.

13

TITLE II

14

NATIONAL FLOOD INSURANCE PROGRAM

15

EXTENSION

16

17

18

19

SEC. 201. Sections 1309(a) and 1319 of the National
Flood Insurance Act of 1968 (42 U.S.C. 4016(a) and
4026) shall be applied by substituting “September 30,
2020” for “September 30, 2019”.

1 **TITLE III—SECURE RURAL**
2 **SCHOOLS AND COMMUNITY**
3 **SELF-DETERMINATION EX-**
4 **TENSION**

5 **SEC. 301. EXTENSION OF THE SECURE RURAL SCHOOLS**
6 **AND COMMUNITY SELF-DETERMINATION ACT**
7 **OF 2000.**

8 (a) SECURE PAYMENTS FOR STATES AND COUNTIES
9 CONTAINING FEDERAL LAND.—

10 (1) SECURE PAYMENTS.—Section 101 of the
11 Secure Rural Schools and Community Self-Deter-
12 mination Act of 2000 (16 U.S.C. 7111) is amended,
13 in subsections (a) and (b), by striking “and 2018”
14 each place it appears and inserting “2018, 2019,
15 and 2020”.

16 (2) PAYMENTS TO STATES AND COUNTIES.—

17 (A) ELECTION TO RECEIVE PAYMENT
18 AMOUNT.—Section 102(b) of the Secure Rural
19 Schools and Community Self-Determination Act
20 of 2000 (16 U.S.C. 7112(b)) is amended—

21 (i) in paragraph (1)(D)—

22 (I) in the subparagraph heading,
23 by striking “FOR FISCAL YEARS 2017
24 AND 2018” and inserting “FOR EACH

1217

1 OF FISCAL YEARS 2017 THROUGH
2 2020”; and

3 (II) by striking “for fiscal years
4 2017 or 2018” and inserting “for
5 each of fiscal years 2017 through
6 2020”; and

7 (ii) in paragraph (2), in subpara-
8 graphs (A) and (B), by striking “for fiscal
9 years 2017 and 2018” each place it ap-
10 pears and inserting “for each of fiscal
11 years 2017 through 2020”.

12 (B) EXPENDITURE RULES FOR ELIGIBLE
13 COUNTIES.—Section 102(d) of the Secure Rural
14 Schools and Community Self-Determination Act
15 of 2000 (16 U.S.C. 7112(d)) is amended—

16 (i) in paragraph (1)(F)—

17 (I) in the subparagraph heading,
18 by striking “FOR FISCAL YEARS 2017
19 AND 2018” and inserting “FOR EACH
20 OF FISCAL YEARS 2017 THROUGH
21 2020”; and

22 (II) by striking “for fiscal years
23 2017 and 2018” and inserting “for
24 each of fiscal years 2017 through
25 2020”; and

1 (ii) in paragraph (3)(D)—

2 (I) in the subparagraph heading,
3 by striking “FOR FISCAL YEARS 2017
4 AND 2018” and inserting “FOR EACH
5 OF FISCAL YEARS 2017 THROUGH
6 2020”; and

7 (II) by striking “for fiscal years
8 2017 and 2018” and inserting “for
9 each of fiscal years 2017 through
10 2020”.

11 (C) DISTRIBUTION OF PAYMENTS TO ELI-
12 GIBLE COUNTIES.—Section 103(d)(2) of the Se-
13 cure Rural Schools and Community Self-Deter-
14 mination Act of 2000 (16 U.S.C. 7113(d)(2)) is
15 amended by striking “through and for fiscal
16 years 2017 and 2018” and inserting “through
17 2015 and for each of fiscal years 2017 through
18 2020”.

19 (b) EXTENSION OF AUTHORITY TO CONDUCT SPE-
20 CIAL PROJECTS ON FEDERAL LAND.—

21 (1) EXISTING ADVISORY COMMITTEES.—Section
22 205(a)(4) of the Secure Rural Schools and Commu-
23 nity Self-Determination Act of 2000 (16 U.S.C.
24 7125(a)(4)) is amended by striking “September 29,

1 2018” each place it appears and inserting “Decem-
2 ber 20, 2021”.

3 (2) TERMINATION OF AUTHORITY.—Section
4 208 of the Secure Rural Schools and Community
5 Self-Determination Act of 2000 (16 U.S.C. 7128) is
6 amended—

7 (A) in subsection (a), by striking “2020”
8 and inserting “2022”; and

9 (B) in subsection (b), by striking “2021”
10 and inserting “2023”.

11 (c) EXTENSION OF AUTHORITY TO EXPEND COUNTY
12 FUNDS.—Section 304 of the Secure Rural Schools and
13 Community Self-Determination Act of 2000 (16 U.S.C.
14 7144) is amended—

15 (1) in subsection (a), by striking “2020” and
16 inserting “2022”; and

17 (2) in subsection (b), by striking “2021” and
18 inserting “2023”.

19 **TITLE IV—EXPORT-IMPORT**
20 **BANK EXTENSION**

21 **SEC. 401. AUTHORIZATION PERIOD.**

22 (a) IN GENERAL.—Section 7 of the Export-Import
23 Bank Act of 1945 (12 U.S.C. 635f) is amended by strik-
24 ing “September 30, 2019” and inserting “December 31,
25 2026”.

1 (b) EXPOSURE LIMIT.—Section 6(a)(2) of such Act
2 (12 U.S.C. 635e(a)(2)) is amended by striking “for each
3 of fiscal years 2015 through 2019” and inserting “for
4 each of fiscal years 2020 through 2027”.

5 **SEC. 402. PROGRAM ON CHINA AND TRANSFORMATIONAL**
6 **EXPORTS.**

7 (a) IN GENERAL.—Section 2 of the Export-Import
8 Bank Act of 1945 (12 U.S.C. 635) is amended by adding
9 at the end the following:

10 “(1) PROGRAM ON CHINA AND TRANSFORMATIONAL
11 EXPORTS.—

12 “(1) IN GENERAL.—The Bank shall establish a
13 Program on China and Transformational Exports to
14 support the extension of loans, guarantees, and in-
15 surance, at rates and on terms and other conditions,
16 to the extent practicable, that are fully competitive
17 with rates, terms, and other conditions established
18 by the People’s Republic of China or by a covered
19 country, that aim to—

20 “(A) directly neutralize export subsidies
21 for competing goods and services financed by
22 official export credit, tied aid, or blended fi-
23 nancing provided by the People’s Republic of
24 China or by a covered country; or

1 “(B) advance the comparative leadership
2 of the United States with respect to the Peo-
3 ple’s Republic of China, or support United
4 States innovation, employment, and techno-
5 logical standards, through direct exports in any
6 of the following areas:

7 “(i) Artificial intelligence.

8 “(ii) Biotechnology.

9 “(iii) Biomedical sciences.

10 “(iv) Wireless communications equip-
11 ment (including 5G or subsequent wireless
12 technologies).

13 “(v) Quantum computing.

14 “(vi) Renewable energy, energy effi-
15 ciency, and energy storage.

16 “(vii) Semiconductor and semicon-
17 ductor machinery manufacturing.

18 “(viii) Emerging financial tech-
19 nologies, including technologies that facili-
20 tate—

21 “(I) financial inclusion through
22 increased access to capital and finan-
23 cial services;

24 “(II) data security and privacy;

1 “(III) payments, the transfer of
2 funds, and associated messaging serv-
3 ices; and

4 “(IV) efforts to combat money
5 laundering and the financing of ter-
6 rorism.

7 “(ix) Water treatment and sanitation,
8 including technologies and infrastructure
9 to reduce contaminants and improve water
10 quality.

11 “(x) High performance computing.

12 “(xi) Associated services necessary for
13 use of any of the foregoing exports.

14 “(2) COVERED COUNTRIES.—In this subsection,
15 the term ‘covered country’ means any country
16 that—

17 “(A) the Secretary of the Treasury des-
18 ignates as a covered country in a report to the
19 Committee on Financial Services of the House
20 of Representatives and the Committee on Bank-
21 ing, Housing, and Urban Development of the
22 Senate;

23 “(B) is not a participant in the Arrange-
24 ment on Officially Supported Export Credits of
25 the Organization for Economic Cooperation and

1 Development (in this subsection referred to as
2 the ‘Arrangement’); and

3 “(C) is not in substantial compliance with
4 the financial terms and conditions of the Ar-
5 rangement.

6 “(3) FINANCING.—

7 “(A) IN GENERAL.—It shall be a goal of
8 the Bank to reserve not less than 20 percent of
9 the applicable amount (as defined in section
10 6(a)(2)) for support made pursuant to the Pro-
11 gram on China and Transformational Exports.

12 “(B) EXCEPTION.—The Secretary of the
13 Treasury may reduce or eliminate the 20 per-
14 cent goal in subparagraph (A), on reporting to
15 the Committee on Financial Services of the
16 House of Representatives and the Committee
17 on Banking, Housing, and Urban Affairs of the
18 Senate that the People’s Republic of China is in
19 substantial compliance with—

20 “(i) the financial terms and conditions
21 of the Arrangement; and

22 “(ii) the rules and principles of the
23 Paris Club.

24 “(C) SUNSET AND REPORT.—The program
25 established under paragraph (1) shall expire on

1 December 31, 2026. Not later than 4 years
2 after enactment of this subsection, the Presi-
3 dent of the Bank shall submit a report to the
4 Committee on Financial Services of the House
5 of Representatives and the Committee on Bank-
6 ing, Housing, and Urban Affairs of the Senate
7 assessing the following:

8 “(i) The capacity and demand of
9 United States entities to export goods and
10 services in the areas described in para-
11 graph (1)(B), as assessed in consultation
12 with the Secretary of Commerce.

13 “(ii) The availability of private-sector
14 financing for exports in the areas.

15 “(iii) The feasibility and advisability
16 of continuing the goal of subparagraph (A)
17 of this paragraph with respect to para-
18 graph (1)(B) after December 31, 2026.

19 “(D) NATIONAL ADVISORY COUNCIL ON
20 INTERNATIONAL MONETARY AND FINANCIAL
21 PROBLEMS.—The National Advisory Council on
22 International Monetary and Financial Problems
23 shall ensure that Bank authorizations pursuant
24 to the Program on China and Transformational
25 Exports are considered or reviewed expedi-

1 tiously, consistent with the other credit stand-
2 ards required by law.”.

3 (b) **REQUIRED REPORTING.**—Section 8 of such Act
4 (12 U.S.C. 635g) is amended by adding at the end the
5 following:

6 “(l) **REPORT ON AUTHORIZATIONS UNDER THE PRO-**
7 **GRAM ON CHINA AND TRANSFORMATIONAL EXPORTS.**—
8 The Bank shall include in its annual report to Congress
9 under subsection (a) a narrative and financial summary
10 of the authorizations made under the Program on China
11 and Transformational Exports.”.

12 (c) **RULE OF CONSTRUCTION.**—Nothing in section
13 2(l)(1)(B) of the Export-Import Bank Act of 1945 shall
14 be construed to weaken any export controls affecting crit-
15 ical technologies (as defined in section 721(a)(6)(A) of the
16 Defense Production Act of 1950 (50 U.S.C.
17 4565(a)(6)(A))).

18 **SEC. 403. SMALL BUSINESS POLICY.**

19 Section 2(b)(1) of the Export-Import Bank Act of
20 1945 (12 U.S.C. 635(b)(1)) is amended by striking sub-
21 paragraph (E)(i)(I) and inserting the following:

22 “(E)(i)(I) It is further the policy of the United States
23 to encourage the participation of small business (including
24 women-owned businesses, minority-owned businesses, vet-
25 eran-owned businesses, businesses owned by persons with

1 disabilities, and businesses in rural areas) and start-up
2 businesses in international commerce, and to educate such
3 businesses about how to export goods using the Bank.”.

4 **SEC. 404. INCREASE IN SMALL BUSINESS THRESHOLD.**

5 (a) IN GENERAL.—Section 2(b)(1)(E)(v) of the Ex-
6 port-Import Bank Act of 1945 (12 U.S.C.
7 635(b)(1)(E)(v)) is amended by striking “25” and insert-
8 ing “30”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall take effect on January 1, 2021.

11 **SEC. 405. EXCLUSION OF UNUTILIZED INSURANCE AUTHOR-**
12 **ITY IN CALCULATING SMALL BUSINESS**
13 **THRESHOLD.**

14 Section 2(b)(1)(E)(v) of the Export-Import Bank Act
15 of 1945 (12 U.S.C. 635(b)(1)(E)(v)) is amended by add-
16 ing at the end the following: “For the purpose of calcu-
17 lating the amounts of authority required under this clause,
18 the Bank shall, with respect to insurance, exclude unuti-
19 lized authorizations that terminated during the fiscal
20 year.”.

21 **SEC. 406. ANTI-FRAUD REFORMS.**

22 Section 2 of the Export-Import Bank Act of 1945
23 (12 U.S.C. 635) is amended—

24 (1) in subsection (f), by striking the period and
25 inserting: “, and shall deny an application for assist-

1 ance if the end user, borrower, lender, or exporter
2 has been convicted of an act of fraud or corruption
3 in connection with an application for support from
4 the Bank made in the preceding 5 years. The Bank
5 may proceed with an application described in this
6 subsection only if an end user, borrower, lender, or
7 exporter can be fully excluded from the trans-
8 action.”; and

9 (2) in subsection (i), by striking “should re-
10 quire” and inserting “shall require”.

11 **SEC. 407. FINANCING FOR RENEWABLE ENERGY, ENERGY**
12 **EFFICIENCY, AND ENERGY STORAGE TECH-**
13 **NOLOGIES.**

14 Section 2(b)(1)(K) of the Export-Import Bank Act
15 of 1945 (12 U.S.C. 635(b)(1)(K)) is amended by inserting
16 “, energy efficiency (including battery electric vehicles,
17 batteries for electric vehicles, and electric vehicle charging
18 infrastructure), and energy storage. It shall be a goal of
19 the Bank to ensure that not less than 5 percent of the
20 applicable amount (as defined in section 6(a)(2)) is made
21 available each fiscal year for the financing of renewable
22 energy, energy efficiency (including battery electric vehi-
23 cles, batteries for electric vehicles, and electric vehicle
24 charging infrastructure), and energy storage technology
25 exports” before the period.

1 **SEC. 408. REPORTING ON FINANCING RELATED TO CHINA.**

2 (a) NATIONAL INTEREST REPORT.—Before author-
3 izing a loan or guarantee for a transaction in an amount
4 greater than \$25,000,000 for which the end user, lender,
5 or obligor is the government of China, the President of
6 the Export-Import Bank of the United States (in this sec-
7 tion referred to as the “Bank”) shall—

8 (1) report to the Committee on Financial Serv-
9 ices of the House of Representatives and the Com-
10 mittee on Banking, Housing, and Urban Affairs of
11 the Senate that the Bank has consulted with the
12 Secretary of State and any other relevant depart-
13 ment or agency, as deemed appropriate by the Presi-
14 dent of the United States, to assess any risks posed
15 by the entity or the transaction to the national inter-
16 est of the United States; and

17 (2) include a summary of the transaction and
18 the consultation.

19 (b) FORM OF REPORT.—The report described in sub-
20 section (a) shall be submitted in unclassified form but may
21 include a classified annex.

22 (c) RELATED POLICIES.—

23 (1) The Board of Directors of the Bank shall
24 prescribe policies for the Bank with respect to—

25 (A) procedures required by the consulta-
26 tion described in subsection (a)(1);

1 (B) establishment of a period of not less
2 than 25 days to complete the consultations de-
3 scribed in subsection (a) during which time con-
4 sulted parties may submit any appropriate in-
5 formation to the Bank; and

6 (C) efforts by the Bank to assess and de-
7 termine ownership or control by the government
8 of China pursuant to the requirements of sub-
9 section (a).

10 (2) In prescribing the policies described under
11 paragraph (1) of this subsection, the Board of Di-
12 rectors of the Bank shall—

13 (A) consult with the Secretary of State
14 with respect to the procedures referred to in
15 subparagraphs (A) and (B) of paragraph (1) of
16 this subsection, and seek to ensure that the
17 procedures—

18 (i) are consistent, wherever appro-
19 priate, with national interest determina-
20 tions made under section 2(b)(1)(B) of the
21 Export-Import Bank Act of 1945; and

22 (ii) include coordination between the
23 Secretary of State and the Director of Na-
24 tional Intelligence, wherever appropriate;
25 and

1 (B) consult with the Secretary of the
2 Treasury with respect to the efforts described
3 in paragraph (1)(C) of this subsection.

4 (d) DEFINITION.—For the purposes of this section,
5 the term “government of China” means any person that
6 the Bank has reason to believe is—

7 (1) the state and the government of China, as
8 well as any political subdivision, agency, or instru-
9 mentality thereof;

10 (2) any entity controlled, directly or indirectly,
11 by any of the foregoing, including any partnership,
12 association, or other entity in which any of the fore-
13 going owns a 50 percent or greater interest or a con-
14 trolling interest, and any entity which is otherwise
15 controlled by any of the foregoing;

16 (3) any person that is or has been acting or
17 purporting to act, directly or indirectly, for or on be-
18 half of any of the foregoing; and

19 (4) any other person which the Secretary of the
20 Treasury has notified the Bank is included in any of
21 the foregoing.

22 (e) SUNSET.—This section shall have no force or ef-
23 fect on the earlier of—

24 (1) December 31, 2026; or

1 (2) the date that is 30 days after the date that
2 the President of the United States reports to the
3 Committee on Financial Services of the House of
4 Representatives and the Committee on Banking,
5 Housing, and Urban Affairs of the Senate that
6 China is in substantial compliance with—

7 (A) the financial terms and conditions of
8 the Arrangement on Officially Supported Ex-
9 port Credits of the Organization for Economic
10 Cooperation and Development; and

11 (B) the rules and principles of the Paris
12 Club.

13 **SEC. 409. ALTERNATIVE PROCEDURES DURING QUORUM**
14 **LAPSE.**

15 (a) IN GENERAL.—Section 3(c)(6) of the Export-Im-
16 port Bank Act of 1945 (12 U.S.C. 635a(c)(6)) is amend-
17 ed—

18 (1) by inserting “(A)” after “(6)”; and

19 (2) by adding at the end the following:

20 “(B)(i) If there is an insufficient number of directors
21 to constitute a quorum under subparagraph (A) for 120
22 consecutive days during the term of a President of the
23 United States, a temporary Board, consisting of the fol-
24 lowing members, shall act in the stead of the Board of
25 Directors:

1 “(I) The United States Trade Representa-
2 tive.

3 “(II) The Secretary of the Treasury.

4 “(III) The Secretary of Commerce.

5 “(IV) The members of the Board of Direc-
6 tors.

7 “(ii) If, at a meeting of the temporary Board—

8 “(I) a member referred to in clause (i)(IV) is
9 present, the meeting shall be chaired by such a
10 member, consistent with Bank bylaws; or

11 “(II) no such member is present, the meeting
12 shall be chaired by the United States Trade Rep-
13 resentative.

14 “(iii) A member described in subclause (I), (II), or
15 (III) of clause (i) may delegate the authority of the mem-
16 ber to vote on whether to authorize a transaction, whose
17 value does not exceed \$100,000,000, to—

18 “(I) if the member is the United States Trade
19 Representative, the Deputy United States Trade
20 Representative; or

21 “(II) if the member is referred to in such sub-
22 clause (II) or (III), the Deputy Secretary of the de-
23 partment referred to in the subclause.

24 “(iv) If the temporary Board consists of members of
25 only one political party, the President of the United States

1 shall, to the extent practicable, appoint to the temporary
2 Board a qualified member of a different political party
3 who occupies a position requiring nomination by the Presi-
4 dent, by and with the consent of the Senate.

5 “(v) The temporary board may not change or amend
6 Bank policies, procedures, bylaws, or guidelines.

7 “(vi) The temporary Board shall expire at the end
8 of the term of the President of the United States in office
9 at the time the temporary Board was constituted or upon
10 restoration of a quorum of the Board of Directors as de-
11 fined in subparagraph (A).

12 “(vii) With respect to a transaction that equals or
13 exceeds \$100,000,000, the Chairperson of the temporary
14 Board shall ensure that the Bank complies with section
15 2(b)(3).”.

16 (b) TERMINATION.—The amendments made by sub-
17 section (a) shall have no force or effect after December
18 31, 2026.

19 **TITLE V—TERRORISM RISK IN-**
20 **SURANCE PROGRAM EXTEN-**
21 **SION**

22 **SEC. 501. SHORT TITLE.**

23 This title may be cited as the “Terrorism Risk Insur-
24 ance Program Reauthorization Act of 2019”.

1 **SEC. 502. 7-YEAR EXTENSION OF TERRORISM RISK INSUR-**
2 **ANCE PROGRAM.**

3 (a) **TERMINATION DATE.**—Section 108(a) of the Ter-
4 rorism Risk Insurance Act of 2002 (15 U.S.C. 6701 note)
5 is amended by striking “2020” and inserting “2027”.

6 (b) **TIMING OF MANDATORY RECOUPMENT.**—Section
7 103(e)(7)(E)(i) of the Terrorism Risk Insurance Act of
8 2002 (15 U.S.C. 6701 note) is amended—

9 (1) in subclause (I)—

10 (A) by striking “2017” and inserting
11 “2022”; and

12 (B) by striking “2019” and inserting
13 “2024”;

14 (2) in subclause (II)—

15 (A) by striking “2018” and inserting
16 “2023”;

17 (B) by striking “2024” and inserting
18 “2029”; and

19 (C) by striking “2019” and inserting
20 “2024”; and

21 (3) in subclause (III)—

22 (A) by striking “2024” and inserting
23 “2029”; and

24 (B) by striking “2019” and inserting
25 “2024”.

1 (c) ONGOING REPORTS REGARDING MARKET CONDI-
2 TIONS FOR TERRORISM RISK INSURANCE.—Paragraph
3 (2) of section 104(h) of the Terrorism Risk Insurance Act
4 of 2002 (15 U.S.C. 6701 note) is amended—

5 (1) by redesignating subparagraphs (B)
6 through (E) as subparagraphs (C) through (F), re-
7 spectively; and

8 (2) by inserting after subparagraph (A) the fol-
9 lowing new subparagraph:

10 “(B) an evaluation of the availability and
11 affordability of terrorism risk insurance, which
12 shall include an analysis of such availability and
13 affordability specifically for places of worship;”.

14 (d) STUDY AND REPORT ON CYBER TERRORISM.—
15 Not later than the expiration of the 180-day period begin-
16 ning on the date of the enactment of this Act, the Comp-
17 troller General of the United States shall conduct a study
18 and report to the Committee on Financial Services of the
19 House of Representatives and the Committee on Banking,
20 Housing, and Urban Affairs of the Senate, which shall—

21 (1) analyze and address—

22 (A) overall vulnerabilities and potential
23 costs of cyber attacks to the United States pub-
24 lic and private infrastructure that could result
25 in physical or digital damage;

1 (B) whether State-defined cyber liability
2 under a property and casualty line of insurance
3 is adequate coverage for an act of cyber ter-
4 rorism;

5 (C) whether such risks can be adequately
6 priced by the private market; and

7 (D) whether the current risk-share system
8 under the Terrorism Risk Insurance Act of
9 2002 (15 U.S.C. 6701 note) is appropriate for
10 a cyber terrorism event; and

11 (2) set forth recommendations on how Congress
12 could amend the Terrorism Risk Insurance Act of
13 2002 (15 U.S.C. 6701 note) to meet the next gen-
14 eration of cyber threats.

15 **TITLE VI—NASA ENHANCED USE**
16 **LEASING EXTENSION**

17 **SEC. 601. SHORT TITLE.**

18 This title may be cited as the “NASA Enhanced Use
19 Leasing Extension Act of 2019”.

1 **SEC. 602. EXTENSION OF AUTHORITY TO ENTER INTO**
2 **LEASES OF NON-EXCESS PROPERTY OF THE**
3 **NATIONAL AERONAUTICS AND SPACE ADMIN-**
4 **ISTRATION.**

5 Section 20145(g) of title 51, United States Code, is
6 amended, in the first sentence, by striking “December 31,
7 2019” and inserting “December 31, 2021”.

8 **TITLE VII—INKSNA EXTENSION**

9 **SEC. 701. EXEMPTION FROM THE IRAN, NORTH KOREA, AND**
10 **SYRIA NONPROLIFERATION ACT.**

11 Section 7(1) of the Iran, North Korea, and Syria
12 Nonproliferation Act (Public Law 106–178; 50 U.S.C.
13 1701 note) is amended, in the undesignated matter fol-
14 lowing subparagraph (B), by striking “December 31,
15 2020” and inserting “December 31, 2025”.

16 **TITLE VIII—BRAND USA**
17 **EXTENSION**

18 **SEC. 801. SHORT TITLE.**

19 This title may be cited as the “Brand USA Extension
20 Act”.

21 **SEC. 802. THE CORPORATION FOR TRAVEL PROMOTION.**

22 Subsection (b) of the Travel Promotion Act of 2009
23 (22 U.S.C. 2131(b)) is amended—

24 (1) in paragraph (2)(A)—

25 (A) in clause (ii), by inserting “or
26 foodservice” after “restaurant”;

1 (B) in clause (v), by inserting “, such as
2 outdoor recreation” before the semicolon at the
3 end; and

4 (C) in clause (viii), by inserting “commer-
5 cial or private” before “passenger air sector”;
6 (2) in paragraph (5)(A)—

7 (A) in clause (iii), by inserting “speaking
8 conventions, sales missions,” after “trade
9 shows,”;

10 (B) in clause (iv), by striking “and” at the
11 end;

12 (C) in clause (v), by striking the period at
13 the end and inserting “; and”; and

14 (D) by adding at the end the following:

15 “(vi) to promote tourism to the
16 United States through digital media, online
17 platforms, and other appropriate me-
18 dium.”; and

19 (3) in paragraph (7)(C), by striking “3 days”
20 and inserting “5 days”.

21 **SEC. 803. ACCOUNTABILITY MEASURES.**

22 Subsection (c) of the Travel Promotion Act of 2009
23 (22 U.S.C. 2131(c)) is amended—

24 (1) in paragraph (2), by striking “\$500,000”
25 and inserting “\$450,000”; and

1 (2) in paragraph (3)—

2 (A) by redesignating subparagraph (I) as
3 subparagraph (K);

4 (B) in subparagraph (H)(iii), by striking
5 “and” at the end; and

6 (C) by inserting after subparagraph
7 (H)(iii) the following:

8 “(I) a list of countries the Corporation
9 identifies as emerging markets for tourism to
10 the United States;

11 “(J) a description of the efforts the Cor-
12 poration has made to promote tourism to rural
13 areas of the United States; and”.

14 **SEC. 804. EXTENSION OF FUNDING FOR BRAND USA.**

15 Subsection (d) of the Travel Promotion Act of 2009
16 (22 U.S.C. 2131(d)) is amended—

17 (1) in paragraph (2)(B), by striking “2020”
18 and inserting “2027”;

19 (2) in paragraph (3)(B)(ii), by striking “70
20 percent” and inserting “50 percent”; and

21 (3) in paragraph (4)(B), by striking “2020”
22 and inserting “2027”.

23 **SEC. 805. PERFORMANCE PLAN.**

24 Not later than 90 days after the date of the enact-
25 ment of this Act, the Corporation for Travel Promotion

1 shall make the performance metrics established pursuant
2 to subsection (f)(1)(A) of the Travel Promotion Act of
3 2009 (22 U.S.C. 2131(f)(1)(A)) publicly available on the
4 website of the Corporation.

5 **SEC. 806. ELECTRONIC SYSTEM FOR TRAVEL AUTHORIZA-**
6 **TION FEE INCREASE.**

7 Section 217(h)(3)(B)(i)(I) of the Immigration and
8 Nationality Act (8 U.S.C. 1187(h)(3)(B)(i)(I)) is amended
9 by striking “\$10” and inserting “\$17”.

10 **TITLE IX—DC OPPORTUNITY**
11 **SCHOLARSHIP EXTENSIONS**

12 **SEC. 901. SCHOLARSHIPS FOR OPPORTUNITY AND RE-**
13 **SULTS.**

14 (a) Section 3014(a) of the Scholarships for Oppor-
15 tunity and Results Act (sec. 38–1853.14, D.C. Official
16 Code) is amended by striking “through fiscal year 2019”
17 and inserting “through fiscal year 2023”.

18 (b) The amendment made by subsection (a) shall take
19 effect on September 30, 2019.

20 **TITLE X—BUDGETARY EFFECTS**

21 **SEC. 1001. BUDGETARY EFFECTS.**

22 (a) **STATUTORY PAYGO SCORECARDS.**—The budg-
23 etary effects of this division and each succeeding division
24 shall not be entered on either PAYGO scorecard main-

1 tained pursuant to section 4(d) of the Statutory Pay-As-
2 You-Go Act of 2010.

3 (b) SENATE PAYGO SCORECARDS.—The budgetary
4 effects of this division and each succeeding division shall
5 not be entered on any PAYGO scorecard maintained for
6 purposes of section 4106 of H. Con. Res. 71 (115th Con-
7 gress).

8 (c) CLASSIFICATION OF BUDGETARY EFFECTS.—
9 Notwithstanding Rule 3 of the Budget Scorekeeping
10 Guidelines set forth in the joint explanatory statement of
11 the committee of conference accompanying Conference Re-
12 port 105–217 and section 250(c)(8) of the Balanced
13 Budget and Emergency Deficit Control Act of 1985, the
14 budgetary effects of this division and each succeeding divi-
15 sion shall not be estimated—

16 (1) for purposes of section 251 of such Act; and

17 (2) for purposes of paragraph (4)(C) of section

18 3 of the Statutory Pay-As-You-Go Act of 2010 as

19 being included in an appropriation Act.

1 **DIVISION J—FOREIGN POLICY**
2 **TITLE I—VENEZUELA**
3 **ASSISTANCE**

4 **SEC. 101. SHORT TITLES.**

5 This title may be cited as the “Venezuela Emergency
6 Relief, Democracy Assistance, and Development Act of
7 2019” or the “VERDAD Act of 2019”.

8 **Subtitle A—Support for the Interim**
9 **President of Venezuela and Rec-**
10 **ognition of the Venezuelan Na-**
11 **tional Assembly**

12 **SEC. 111. FINDINGS; SENSE OF CONGRESS IN SUPPORT OF**
13 **THE INTERIM PRESIDENT OF VENEZUELA.**

14 (a) FINDINGS.—Congress makes the following find-
15 ings:

16 (1) Venezuela’s electoral event on May 20, 2018
17 was characterized by widespread fraud and did not
18 comply with international standards for a free, fair,
19 and transparent electoral process.

20 (2) Given the fraudulent nature of Venezuela’s
21 May 20, 2018 electoral event, Nicolás Maduro’s ten-
22 ure as President of Venezuela ended on January 10,
23 2019.

24 (3) The National Assembly of Venezuela ap-
25 proved a resolution on January 15, 2019 that termi-

1 nated Nicolás Maduro’s authority as the President
2 of Venezuela.

3 (4) On January 23, 2019, the President of the
4 National Assembly of Venezuela was sworn in as the
5 Interim President of Venezuela.

6 (b) SENSE OF CONGRESS.—It is the sense of Con-
7 gress—

8 (1) to support the decisions by the United
9 States Government, more than 50 governments
10 around the world, the Organization of American
11 States, the Inter-American Development Bank, and
12 the European Parliament to recognize National As-
13 sembly President Juan Guaidó as the Interim Presi-
14 dent of Venezuela;

15 (2) to encourage the Interim President of Ven-
16 ezuela to advance efforts to hold democratic presi-
17 dential elections in the shortest possible period; and

18 (3) that the Organization of American States,
19 with support from the United States Government
20 and partner governments, should provide diplomatic,
21 technical, and financial support for a new presi-
22 dential election in Venezuela that complies with
23 international standards for a free, fair, and trans-
24 parent electoral process.

1 **SEC. 112. RECOGNITION OF VENEZUELA'S DEMOCRAT-**
2 **ICALLY ELECTED NATIONAL ASSEMBLY.**

3 (a) FINDINGS.—Congress finds that Venezuela's uni-
4 cameral National Assembly convened on January 6, 2016,
5 following democratic elections that were held on December
6 6, 2015.

7 (b) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that Venezuela's democratically elected National As-
9 sembly is the only national level democratic institution re-
10 maining in the country.

11 (c) POLICY.—It is the policy of the United States to
12 recognize the democratically elected National Assembly of
13 Venezuela as the only legitimate national legislative body
14 in Venezuela.

15 (d) ASSISTANCE TO VENEZUELA'S NATIONAL ASSEM-
16 BLY.—The Secretary of State, in coordination with the
17 Administrator of the United States Agency for Inter-
18 national Development, shall prioritize efforts to provide
19 technical assistance to support the democratically elected
20 National Assembly of Venezuela in accordance with sec-
21 tion 143.

22 **SEC. 113. ADVANCING A NEGOTIATED SOLUTION TO VEN-**
23 **EZUELA'S CRISIS.**

24 (a) SENSE OF CONGRESS.—It is the sense of Con-
25 gress that—

1 (1) direct, credible negotiations led by the In-
2 terim President of Venezuela and members of Ven-
3 ezuela’s democratically elected National Assembly—

4 (A) are supported by stakeholders in the
5 international community that have recognized
6 the Interim President of Venezuela;

7 (B) include the input and interests of Ven-
8 ezuelan civil society; and

9 (C) represent the best opportunity to reach
10 a solution to the Venezuelan crisis that in-
11 cludes—

12 (i) holding a new presidential election
13 that complies with international standards
14 for a free, fair, and transparent electoral
15 process;

16 (ii) ending Nicolás Maduro’s usurpa-
17 tion of presidential authorities;

18 (iii) restoring democracy and the rule
19 of law;

20 (iv) freeing political prisoners; and

21 (v) facilitating the delivery of humani-
22 tarian aid;

23 (2) dialogue between the Maduro regime and
24 representatives of the political opposition that com-
25 menced in October 2017, and were supported by the

1 Governments of Mexico, of Chile, of Bolivia, and of
2 Nicaragua, did not result in an agreement because
3 the Maduro regime failed to credibly participate in
4 the process; and

5 (3) negotiations between the Maduro regime
6 and representatives of the political opposition that
7 commenced in October 2016, and were supported by
8 the Vatican, did not result in an agreement because
9 the Maduro regime failed to credibly participate in
10 the process.

11 (b) POLICY.—It is the policy of the United States to
12 support diplomatic engagement in order to advance a ne-
13 gotiated and peaceful solution to Venezuela’s political, eco-
14 nomic, and humanitarian crisis that is described in sub-
15 section (a)(1).

16 **Subtitle B—Humanitarian Relief**
17 **for Venezuela**

18 **SEC. 121. HUMANITARIAN RELIEF FOR THE VENEZUELAN**
19 **PEOPLE.**

20 (a) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) the United States Government should ex-
23 pand efforts to peacefully address Venezuela’s hu-
24 manitarian crisis; and

25 (2) humanitarian assistance—

1 (A) should be targeted toward those most
2 in need and delivered through partners that up-
3 hold internationally recognized humanitarian
4 principles; and

5 (B) should not be passed through the con-
6 trol or distribution mechanisms of the Maduro
7 regime.

8 (b) HUMANITARIAN RELIEF.—

9 (1) IN GENERAL.—The Secretary of State, in
10 coordination with the Administrator of the United
11 States Agency for International Development, shall
12 provide—

13 (A) humanitarian assistance to individuals
14 and communities in Venezuela, including—

15 (i) public health commodities and
16 services, including medicines and basic
17 medical supplies and equipment;

18 (ii) basic food commodities and nutri-
19 tional supplements needed to address
20 growing malnutrition and improve food se-
21 curity for the people of Venezuela, with a
22 specific emphasis on the most vulnerable
23 populations; and

24 (iii) technical assistance to ensure
25 that health and food commodities are ap-

1 appropriately selected, procured, targeted,
2 and distributed; and

3 (B) Venezuelans and hosting communities,
4 as appropriate, in neighboring countries with
5 humanitarian aid, such as—

6 (i) urgently needed health and nutri-
7 tional assistance, including logistical and
8 technical assistance to hospitals and health
9 centers in affected communities;

10 (ii) food assistance for vulnerable indi-
11 viduals, including assistance to improve
12 food security for affected communities; and

13 (iii) hygiene supplies and sanitation
14 services.

15 (2) AID TO VENEZUELAN IN NEIGHBORING
16 COUNTRIES.—The aid described in paragraph
17 (1)(B)—

18 (A) may be provided—

19 (i) directly to Venezuelans in neigh-
20 boring countries, including countries of the
21 Caribbean; or

22 (ii) indirectly through the commu-
23 nities in which the Venezuelans reside; and

24 (B) should focus on the most vulnerable
25 Venezuelans in neighboring countries.

1 (c) HUMANITARIAN ASSISTANCE STRATEGY UP-
2 DATE.—Not later than 180 days after the date of the en-
3 actment of this Act, the Secretary of State, in coordination
4 with the Administrator of the United States Agency for
5 International Development, shall submit, to the appro-
6 priate congressional committees, an update to the Ven-
7 ezuela humanitarian assistance strategy described in the
8 conference report accompanying the Consolidated Appro-
9 priations Act (Public Law 116–6), to cover a 2-year period
10 and include—

11 (1) a description of the United States humani-
12 tarian assistance provided under this section;

13 (2) a description of United States diplomatic ef-
14 forts to ensure support from international donors,
15 including regional partners in Latin America and
16 the Caribbean, for the provision of humanitarian as-
17 sistance to the people of Venezuela;

18 (3) the identification of governments that are
19 willing to provide financial and technical assistance
20 for the provision of such humanitarian assistance to
21 the people of Venezuela and a description of such as-
22 sistance; and

23 (4) the identification of the financial and tech-
24 nical assistance to be provided by multilateral insti-
25 tutions, including the United Nations humanitarian

1 agencies, the Pan American Health Organization,
2 the Inter-American Development Bank, and the
3 World Bank, and a description of such assistance.

4 (d) DIPLOMATIC ENGAGEMENT.—The Secretary of
5 State, in consultation with the Administrator of the
6 United States Agency for International Development, shall
7 work with relevant foreign governments and multilateral
8 organizations to coordinate a donors summit and carry out
9 diplomatic engagement to advance the strategy required
10 under subsection (c).

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated \$400,000,000 for fiscal year
13 2020 to carry out the activities set forth in subsection (b).

14 (f) DEFINED TERM.—In this section, the term “ap-
15 propriate congressional committees” means—

16 (1) the Committee on Foreign Relations of the
17 Senate;

18 (2) the Committee on Appropriations of the
19 Senate;

20 (3) the Committee on Foreign Affairs of the
21 House of Representatives; and

22 (4) the Committee on Appropriations of the
23 House of Representatives.

1 **SEC. 122. SUPPORT FOR EFFORTS AT THE UNITED NATIONS**
2 **ON THE HUMANITARIAN CRISIS IN VEN-**
3 **EZUELA.**

4 (a) SENSE OF CONGRESS.—It is the sense of Con-
5 gress that the United Nations humanitarian agencies
6 should conduct and publish independent assessments of
7 the humanitarian situation in Venezuela, including—

8 (1) the extent and impact of the shortages of
9 food, medicine, and medical supplies in Venezuela;

10 (2) basic health indicators in Venezuela, such
11 as maternal and child mortality rates and the preva-
12 lence and treatment of communicable diseases; and

13 (3) the efforts needed to resolve the shortages
14 identified in paragraph (1) and to improve the
15 health indicators referred to in paragraph (2).

16 (b) UNITED NATIONS RESIDENT COORDINATOR.—
17 The President should instruct the Permanent Representa-
18 tive to the United Nations to use the voice, vote, and influ-
19 ence of the United States at the United Nations to support
20 the efforts of the Resident Coordinator for Venezuela in
21 a manner that—

22 (1) contributes to Venezuela’s long-term recov-
23 ery; and

24 (2) advances humanitarian efforts in Venezuela
25 and for Venezuelans residing in neighboring coun-
26 tries.

1 **SEC. 123. COORDINATION AND DISTRIBUTION OF HUMANI-**
2 **TARIAN ASSISTANCE TO THE PEOPLE OF**
3 **VENEZUELA.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Humanitarian Assistance to the Venezuelan People Act
6 of 2019”.

7 (b) **DEFINED TERM.**—In this section, the term “ap-
8 propriate congressional committees” means—

9 (1) the Committee on Foreign Relations of the
10 Senate;

11 (2) the Committee on Appropriations of the
12 Senate;

13 (3) the Committee on Banking, Housing, and
14 Urban Affairs of the Senate;

15 (4) the Committee on Foreign Affairs of the
16 House of Representatives;

17 (5) the Committee on Appropriations of the
18 House of Representatives; and

19 (6) the Committee on Financial Services of the
20 House of Representatives.

21 (c) **REPORT ON THE COORDINATION AND DISTRIBUTION OF HUMANITARIAN ASSISTANCE TO THE PEOPLE OF**
22 **VENEZUELA INCLUDING STRATEGY ON FUTURE EF-**
23 **FORTS.**—

24 (1) **IN GENERAL.**—Not later than 1 year after
25 the date of the enactment of this Act, the Secretary
26

1 of State, in coordination with the Administrator of
2 the United States Agency for International Develop-
3 ment, shall submit a report to the appropriate con-
4 gressional committees that evaluates the delivery
5 and coordination of humanitarian assistance to the
6 people of Venezuela since the onset of the humani-
7 tarian crisis, whether residing in Venezuela or else-
8 where in the Western Hemisphere.

9 (2) MATTERS TO BE INCLUDED.—The report
10 required under paragraph (1) shall—

11 (A) identify how United States Agency for
12 International Development and Department of
13 State best practices are being utilized in pro-
14 viding humanitarian assistance to Venezuela
15 and countries in the region, including a descrip-
16 tion of coordination efforts with United States
17 embassies and USAID missions throughout the
18 region;

19 (B) describe the current and anticipated
20 challenges to distributing humanitarian assist-
21 ance in Venezuela and countries hosting Ven-
22 ezuelan migrants;

23 (C) describe the coordination of United
24 States assistance with foreign donors; and

1 (D) describe how the distribution of hu-
2 manitarian assistance is being monitored and
3 evaluated, including—

4 (i) the number of beneficiaries receiv-
5 ing such assistance;

6 (ii) an assessment of how humani-
7 tarian and development assistance is bene-
8 fitting Venezuelan migrants inside and
9 outside of the country; and

10 (iii) what additional staff may be nec-
11 essary to manage such assistance.

12 **Subtitle C—Addressing Regime** 13 **Cohesion**

14 **SEC. 131. CLASSIFIED BRIEFING ON DECLINING COHESION** 15 **INSIDE THE VENEZUELAN MILITARY AND** 16 **THE MADURO REGIME.**

17 (a) REPORTING REQUIREMENT.—Not later than 90
18 days after the date of the enactment of this Act, the Sec-
19 retary of State, acting through the Bureau of Intelligence
20 and Research, and in coordination with the Director of
21 National Intelligence, shall provide a briefing to the appro-
22 priate congressional committees that assesses the declin-
23 ing cohesion inside the Venezuelan military and security
24 forces and the Maduro regime.

1 (b) ADDITIONAL ELEMENTS.—The briefing required
2 under subsection (a) shall—

3 (1) identify senior members of the Venezuelan
4 military and the Maduro regime, including generals,
5 admirals, cabinet ministers, deputy cabinet min-
6 isters, and the heads of intelligence agencies, whose
7 loyalty to Nicolás Maduro is declining;

8 (2) describe the factors that would accelerate
9 the decision making of individuals identified in para-
10 graph (1)—

11 (A) to break with the Maduro regime; and

12 (B) to recognize the Interim President of
13 Venezuela and his government; and

14 (3) assess and detail the massive number of de-
15 sertions and defections that have occurred at the of-
16 ficer and enlisted levels inside the Venezuelan mili-
17 tary and security forces.

18 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—
19 In this section, the term “appropriate congressional com-
20 mittees” means—

21 (1) the Committee on Foreign Relations of the
22 Senate;

23 (2) the Select Committee on Intelligence of the
24 Senate;

1 (3) the Committee on Foreign Affairs of the
2 House of Representatives; and

3 (4) the Permanent Select Committee on Intel-
4 ligence of the House of Representatives.

5 **SEC. 132. ADDITIONAL RESTRICTIONS ON VISAS.**

6 (a) IN GENERAL.—The Secretary of State shall im-
7 pose the visa restrictions described in subsection (c) on
8 any foreign person who the Secretary determines—

9 (1) is a current or former senior official of the
10 Maduro regime, or any foreign person acting on be-
11 half of such regime, who is knowingly responsible
12 for, complicit in, responsible for ordering, control-
13 ling, or otherwise directing, or participating in (di-
14 rectly or indirectly) any activity in or in relation to
15 Venezuela, on or after January 23, 2019, that sig-
16 nificantly undermines or threatens the integrity of—

17 (A) the democratically-elected National As-
18 sembly of Venezuela; or

19 (B) the President of such National Assem-
20 bly, while serving as Interim President of Ven-
21 ezuela, or the senior government officials under
22 the supervision of such President;

23 (2) is the spouse or adult child of a foreign per-
24 son described in paragraph (1); or

1 (3) is the spouse or adult child of Venezuelan
2 person sanctioned under—

3 (A) section 5(a) of the Venezuela Defense
4 of Human Rights and Civil Society Act of 2014
5 (Public Law 113–278), as amended by section
6 163 of this title;

7 (B) section 804(b) of the Foreign Nar-
8 cotics Kingpin Designation Act (21 U.S.C.
9 1903(b)); or

10 (C) Executive Orders 13692 (50 U.S.C.
11 1701 note) and 13850.

12 (b) REMOVAL FROM VISA REVOCATION LIST.—Pur-
13 suant to such procedures as the Secretary of State may
14 establish to implement this section—

15 (1) if any person described in subsection (a)(1)
16 recognizes and pledges support for the Interim
17 President of Venezuela or a subsequent democrat-
18 ically elected government of Venezuela, that person
19 and any family members of that person who were
20 subject to visa restrictions pursuant to subsection
21 (a)(2) shall no longer be subject to such visa restric-
22 tions; and

23 (2) if any person described in subparagraphs
24 (A) through (C) of subsection (a)(3) recognizes and
25 pledges support for the Interim President of Ven-

1 ezuela or a subsequent democratically elected gov-
2 ernment of Venezuela, any family members of that
3 person who were subject to visa restrictions pursu-
4 ant to subsection (a)(3) shall no longer be subject to
5 such visa restrictions.

6 (c) VISA RESTRICTIONS DESCRIBED.—

7 (1) VISAS, ADMISSION, OR PAROLE.—An alien
8 described in subsection (a) is—

9 (A) inadmissible to the United States;

10 (B) ineligible to receive a visa or other docu-
11 mentation to enter the United States; and

12 (C) otherwise ineligible to be admitted or
13 paroled into the United States or to receive any
14 benefit under the Immigration and Nationality
15 Act (8 U.S.C. 1101 et seq.).

16 (2) CURRENT VISAS REVOKED.—

17 (A) IN GENERAL.—An alien described in
18 subsection (a) is subject to revocation of any
19 visa or other entry documentation regardless of
20 when the visa or other entry documentation is
21 or was issued.

22 (B) IMMEDIATE EFFECT.—A revocation
23 under subparagraph (A) shall—

24 (i) take effect immediately; and

1 (ii) automatically cancel any other
2 valid visa or entry documentation that is in
3 the alien's possession.

4 (3) EXCEPTIONS.—Sanctions under paragraphs
5 (1) and (2) shall not apply with respect to an alien
6 if admitting or paroling the alien into the United
7 States is necessary—

8 (A) to permit the United States to comply
9 with the Agreement regarding the Head-
10 quarters of the United Nations, signed at Lake
11 Success June 26, 1947, and entered into force
12 November 21, 1947, between the United Na-
13 tions and the United States, or other applicable
14 international obligations; or

15 (B) to carry out or assist law enforcement
16 activity in the United States.

17 (d) RULEMAKING.—The President shall issue such
18 regulations, licenses, and orders as may be necessary to
19 carry out this section.

20 **SEC. 133. WAIVER FOR SANCTIONED OFFICIALS THAT REC-**
21 **OGNIZE THE INTERIM PRESIDENT OF VEN-**
22 **EZUELA.**

23 (a) REMOVAL OF SANCTIONS.—If a person sanc-
24 tioned under any of the provisions of law described in sub-
25 section (b) recognizes and pledges supports for the Interim

1 President of Venezuela or a subsequent democratically
2 elected government, the person shall no longer be subject
3 to such sanctions, pursuant to such procedures as the Sec-
4 retary of State and the Secretary of the Treasury may
5 establish to implement this section.

6 (b) SANCTIONS DESCRIBED.—The sanctions de-
7 scribed in this subsection are set forth in the following
8 provisions of law:

9 (1)(A) Paragraphs (3) and (4) of section 5(a)
10 of the Venezuela Defense of Human Rights and Civil
11 Society Act of 2014 (Public Law 113–278), as
12 amended by section 163 of this title.

13 (B) Paragraph (5) of section 5(a) of such Act,
14 to the extent such paragraph relates to the sanctions
15 described in paragraph (3) or (4) of such subsection.

16 (2)(A) Clauses (1) and (4) of section 1(a)(ii)(A)
17 of Executive Order 13692 (50 U.S.C. 1701 note).

18 (B) Subparagraph (D)(2) of section 1(a)(ii) of
19 such Executive Order, to the extent such subpara-
20 graph relates to the provisions of law cited in sub-
21 paragraph (A).

22 (3)(A) Section 1(a)(ii) of Executive Order
23 13850.

1 (B) Paragraph (iii) of section 1(a) of such Ex-
2 ecutive Order, to the extent such paragraph relates
3 to the provision of law cited in subparagraph (A).

4 (c) RULEMAKING.—The President shall issue such
5 regulations, licenses, and orders as may be necessary to
6 carry out this section.

7 **Subtitle D—Restoring Democracy**
8 **and Addressing the Political**
9 **Crisis in Venezuela**

10 **SEC. 141. SUPPORT FOR THE ORGANIZATION OF AMERICAN**
11 **STATES AND THE LIMA GROUP.**

12 (a) SENSE OF CONGRESS.—It is the sense of Con-
13 gress that the Secretary of State should—

14 (1) take additional steps to support ongoing ef-
15 forts by the Secretary General of the Organization
16 of American States to promote diplomatic initiatives
17 to foster the restoration of democracy and the rule
18 of law in Venezuela;

19 (2) conduct diplomatic engagement in support
20 of efforts by the Lima Group to restore democracy
21 and the rule of law in Venezuela and facilitate the
22 delivery of humanitarian assistance for the Ven-
23 ezuelan people; and

1 (3) engage with the International Contact
2 Group on Venezuela to advance a peaceful and
3 democratic solution to the current crisis.

4 (b) DEFINED TERMS.—In this section:

5 (1) INTERNATIONAL CONTACT GROUP ON VEN-
6 EZUELA.—The “International Contact Group on
7 Venezuela” refers to a diplomatic bloc—

8 (A) whose members include the European
9 Union, France, Germany, Italy, Spain, Por-
10 tugal, Sweden, the Netherlands, the United
11 Kingdom, Ecuador, Costa Rica, and Uruguay;
12 and

13 (B) which was established to advance a
14 peaceful and democratic solution to the current
15 crisis in Venezuela.

16 (2) LIMA GROUP.—The “Lima Group” refers to
17 a diplomatic bloc—

18 (A) whose members include Argentina,
19 Brazil, Canada, Chile, Colombia, Costa Rica,
20 Guatemala, Guyana, Honduras, Panama, Para-
21 guay, Peru, and Saint Lucia; and

22 (B) which was established to address the
23 political, economic, and humanitarian crises in
24 Venezuela.

1 **SEC. 142. ACCOUNTABILITY FOR CRIMES AGAINST HUMAN-**
2 **ITY.**

3 (a) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the Secretary of State should conduct robust
5 diplomatic engagement in support of efforts in Venezuela,
6 and on the part of the international community, to ensure
7 accountability for possible crimes against humanity and
8 serious violations of human rights.

9 (b) REPORT.—Not later than 90 days after the date
10 of the enactment of this Act, the Secretary of State shall
11 submit a report to Congress that—

12 (1) evaluates the degree to which the Maduro
13 regime and its officials, including members of the
14 Venezuelan security forces, have engaged in actions
15 that constitute possible crimes against humanity and
16 serious violations of human rights; and

17 (2) provides options for holding accountable the
18 perpetrators identified under paragraph (1).

19 **SEC. 143. SUPPORT FOR INTERNATIONAL ELECTION OB-**
20 **SERVATION AND DEMOCRATIC CIVIL SOCI-**
21 **ETY.**

22 (a) IN GENERAL.—The Secretary of State, in coordi-
23 nation with the Administrator of the United States Agen-
24 cy for International Development—

25 (1) shall work with the Organization of Amer-
26 ican States to ensure credible international observa-

1 tion of future elections in Venezuela that contributes
2 to free, fair, and transparent democratic electoral
3 processes; and

4 (2) shall work with nongovernmental organiza-
5 tions—

6 (A) to strengthen democratic governance
7 and institutions, including the democratically
8 elected National Assembly of Venezuela;

9 (B) to defend internationally recognized
10 human rights for the people of Venezuela, in-
11 cluding support for efforts to document crimes
12 against humanity and violations of human
13 rights;

14 (C) to support the efforts of independent
15 media outlets to broadcast, distribute, and
16 share information beyond the limited channels
17 made available by the Maduro regime; and

18 (D) to combat corruption and improve the
19 transparency and accountability of institutions
20 that are part of the Maduro regime.

21 (b) **ENGAGEMENT AT THE ORGANIZATION OF AMER-**
22 **ICAN STATES.**—The Secretary of State, acting through
23 the United States Permanent Representative to the Orga-
24 nization of American States, should advocate and build
25 diplomatic support for sending an election observation

1 mission to Venezuela to ensure that democratic electoral
2 processes are organized and carried out in a free, fair, and
3 transparent manner.

4 (c) BRIEFING REQUIREMENT.—Not later than 180
5 days after the date of the enactment of this Act, the Sec-
6 retary of State, in coordination with the Administrator of
7 the United States Agency for International Development,
8 shall provide a briefing on the strategy to carry out the
9 activities described in subsection (a) to—

10 (1) the Committee on Foreign Relations of the
11 Senate;

12 (2) the Committee on Appropriations of the
13 Senate;

14 (3) the Committee on Foreign Affairs of the
15 House of Representatives; and

16 (4) the Committee on Appropriations of the
17 House of Representatives.

18 (d) AUTHORIZATION OF APPROPRIATIONS.—

19 (1) IN GENERAL.—There are authorized to be
20 appropriated to the Secretary of State for fiscal year
21 2020, \$17,500,000 to carry out the activities set
22 forth in subsection (a).

23 (2) NOTIFICATION REQUIREMENTS.—Amounts
24 appropriated pursuant to paragraph (1) are subject
25 to the notification requirements applicable to ex-

1 penditures from the Economic Support Fund under
2 section 531(c) of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2346(c)) and from the Development As-
4 sistance Fund under section 653(a) of the Foreign
5 Assistance Act of 1961 (22 U.S.C. 2413(a)), to the
6 extent that such funds are expended.

7 **Subtitle E—Supporting the**
8 **Reconstruction of Venezuela**

9 **SEC. 151. RECOVERING ASSETS STOLEN FROM THE VEN-**
10 **EZUELAN PEOPLE.**

11 (a) RECOVERING ASSETS.—The President, acting
12 through the Secretary of State and in consultation with
13 the Secretary of the Treasury, shall advance a coordinated
14 international effort—

15 (1) to work with foreign governments—

16 (A) to share financial investigations intel-
17 ligence, as appropriate;

18 (B) to block the assets identified pursuant
19 to paragraph (2); and

20 (C) to provide technical assistance to help
21 governments establish the necessary legal
22 framework to carry out asset forfeitures; and

23 (2) to carry out special financial investigations
24 to identify and track assets taken from the people

1 and institutions of Venezuela through theft, corrup-
2 tion, money laundering, or other illicit means.

3 (b) STRATEGY REQUIREMENT.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the
6 President, acting through the Secretary of State and
7 in consultation with the Secretary of the Treasury,
8 shall submit a strategy for carrying out the activities
9 described in subsection (a) to Congress.

10 (2) ADDITIONAL ELEMENTS.—The strategy re-
11 quired under paragraph (1) shall—

12 (A) assess whether the United States or
13 another member of the international community
14 should establish a managed fund to hold the as-
15 sets identified pursuant to subsection (a)(2)
16 that could be returned to a future democratic
17 government in Venezuela; and

18 (B) include such recommendations as the
19 President and the Secretary of State consider
20 appropriate for legislative or administrative ac-
21 tion in the United States that would be needed
22 to establish and manage the fund described in
23 subparagraph (A).

1 **Subtitle F—Restoring the Rule of**
2 **Law in Venezuela**

3 **SEC. 161. DEVELOPING AND IMPLEMENTING A COORDI-**
4 **NATED SANCTIONS STRATEGY WITH PART-**
5 **NERS IN THE WESTERN HEMISPHERE AND**
6 **THE EUROPEAN UNION.**

7 (a) **STRENGTHENING SANCTIONS CAPACITY IN LATIN**
8 **AMERICA AND THE CARIBBEAN.**—The Secretary of State,
9 in consultation with the Secretary of the Treasury, shall
10 offer to provide technical assistance to partner govern-
11 ments in Latin America and the Caribbean to assist such
12 governments in establishing the legislative and regulatory
13 frameworks needed to impose targeted sanctions on offi-
14 cials of the Maduro regime who—

- 15 (1) are responsible for human rights abuses;
16 (2) have engaged in public corruption; or
17 (3) are undermining democratic institutions and
18 processes in Venezuela.

19 (b) **COORDINATING INTERNATIONAL SANCTIONS.**—
20 The Secretary of State, in consultation with the Secretary
21 of the Treasury, shall engage in diplomatic efforts with
22 partner governments, including the Government of Can-
23 ada, governments in the European Union, and govern-
24 ments in Latin America and the Caribbean, to impose tar-

1 geted sanctions on the Maduro regime officials described
2 in subsection (a).

3 (c) STRATEGY REQUIREMENT.—Not later than 90
4 days after the date of the enactment of this Act, the Sec-
5 retary of State, in consultation with the Secretary of the
6 Treasury, shall submit a strategy for carrying out the ac-
7 tivities described in subsection (a) to—

8 (1) the Committee on Foreign Relations of the
9 Senate;

10 (2) the Committee on Appropriations of the
11 Senate;

12 (3) the Committee on Banking, Housing, and
13 Urban Affairs of the Senate;

14 (4) the Committee on Foreign Affairs of the
15 House of Representatives;

16 (5) the Committee on Appropriations of the
17 House of Representatives; and

18 (6) the Committee on Financial Services of the
19 House of Representatives.

20 (d) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—There is authorized to be
22 appropriated to the Secretary of State for fiscal year
23 2020, \$3,000,000 to carry out the activities set forth
24 in subsection (a).

1 (2) NOTIFICATION REQUIREMENTS.—Amounts
2 appropriated pursuant to paragraph (1) are subject
3 to the notification requirements applicable to ex-
4 penditures from the Economic Support Fund under
5 section 531(c) of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2346(c)) and the International Narcotics
7 and Law Enforcement Fund under section 489 of
8 the Foreign Assistance Act of 1961 (22 U.S.C.
9 2291h) to the extent that such funds are expended.

10 **SEC. 162. CLASSIFIED BRIEFING ON THE INVOLVEMENT OF**
11 **VENEZUELAN OFFICIALS IN CORRUPTION**
12 **AND ILLICIT NARCOTICS TRAFFICKING.**

13 (a) BRIEFING REQUIREMENT.—Not later than 90
14 days after the date of the enactment of this Act, the Sec-
15 retary of State, acting through the Bureau of Intelligence
16 and Research, and in coordination with the Director of
17 National Intelligence, shall provide a classified briefing to
18 the appropriate congressional committees on the involve-
19 ment of senior officials of the Maduro regime, including
20 members of the National Electoral Council, the judicial
21 system, and the Venezuelan security forces, in illicit nar-
22 cotics trafficking and significant acts of public corruption
23 in Venezuela.

24 (b) ADDITIONAL ELEMENTS.—The briefing provided
25 under subsection (a) shall—

1 (1) describe how the significant acts of public
2 corruption pose challenges for United States na-
3 tional security and impact the rule of law and demo-
4 cratic governance in countries of the Western Hemi-
5 sphere;

6 (2) identify individuals for whom there is cred-
7 ible information that they frustrated the ability of
8 the United States to combat illicit narcotics traf-
9 ficking;

10 (3) include an assessment of the relationship
11 between individuals identified under subsection (a)
12 and Nicolás Maduro or members of his cabinet; and

13 (4) include input from the Drug Enforcement
14 Administration, the Office of Foreign Assets Con-
15 trol, and the Financial Crimes Enforcement Net-
16 work.

17 (c) APPROPRIATE CONGRESSIONAL COMMITTEES.—

18 In this section, the term “appropriate congressional com-
19 mittees” means—

20 (1) the Committee on Foreign Relations of the
21 Senate;

22 (2) the Select Committee on Intelligence of the
23 Senate;

24 (3) the Committee on Banking, Housing, and
25 Urban Affairs of the Senate;

1 (4) the Committee on Foreign Affairs of the
2 House of Representatives;

3 (5) the Permanent Select Committee on Intel-
4 ligence of the House of Representatives; and

5 (6) the Committee on Financial Services of the
6 House of Representatives.

7 **SEC. 163. CONCERNS OVER PDVSA TRANSACTIONS WITH**
8 **ROSNEFT.**

9 (a) FINDINGS.—Congress makes the following find-
10 ings:

11 (1) In late 2016, Venezuelan state-owned oil
12 company Petróleos de Venezuela, S.A. (referred to in
13 this section as “PDVSA”), through a no compete
14 transaction, secured a loan from Russian govern-
15 ment-controlled oil company Rosneft, using 49.9 per-
16 cent of PDVSA’s American subsidiary, CITGO Pe-
17 troleum Corporation, including its assets in the
18 United States, as collateral. As a result of this
19 transaction, 100 percent of CITGO is held as collat-
20 eral by PDVSA’s creditors.

21 (2) CITGO, a wholly owned subsidiary of
22 PDVSA, is engaged in interstate commerce and
23 owns and controls critical energy infrastructure in
24 19 States of the United States, including an exten-
25 sive network of pipelines, 48 terminals, and 3 refin-

1 eries, with a combined oil refining capacity of
2 749,000 barrels per day. CITGO’s refinery in Lake
3 Charles, Louisiana, is the sixth largest refinery in
4 the United States.

5 (3) The Department of the Treasury imposed
6 sanctions on Rosneft, which is controlled by the Gov-
7 ernment of the Russian Federation, and its Execu-
8 tive Chairman, Igor Sechin, following Russia’s mili-
9 tary invasion of Ukraine and its illegal annexation of
10 Crimea in 2014.

11 (4) The Department of Homeland Security has
12 designated the energy sector as critical to United
13 States infrastructure.

14 (5) The growing economic crisis in Venezuela
15 raises the probability that the Maduro regime and
16 PDVSA will default on their international debt obli-
17 gations, resulting in a scenario in which Rosneft
18 could come into control of CITGO’s United States
19 energy infrastructure holdings.

20 (b) SENSE OF CONGRESS.—It is the sense of Con-
21 gress that—

22 (1) control of critical United States energy in-
23 frastructure by Rosneft, a Russian government-con-
24 trolled entity currently under United States sanc-
25 tions that is led by Igor Sechin, who is also under

1 United States sanctions and is a close associate of
2 Vladimir Putin, would pose a significant risk to
3 United States national security and energy security;
4 and

5 (2) a default by PDVSA on its loan from
6 Rosneft, resulting in Rosneft coming into possession
7 of PDVSA's United States CITGO assets, would
8 warrant careful consideration by the Committee on
9 Foreign Investment in the United States.

10 (c) PREVENTING ROSNEFT FROM CONTROLLING
11 UNITED STATES ENERGY INFRASTRUCTURE.—The Presi-
12 dent shall take all necessary steps to prevent Rosneft from
13 gaining control of critical United States energy infrastruc-
14 ture.

15 (d) SECURITY RISK REPORT.—Not later than 90
16 days after the date of the enactment of this Act, the Presi-
17 dent shall submit a report assessing the national security
18 risks posed by potential Russian acquisition and control
19 of CITGO's United States energy infrastructure holdings
20 to—

21 (1) the Committee on Foreign Relations of the
22 Senate;

23 (2) the Committee on Homeland Security and
24 Governmental Affairs of the Senate;

1 (3) the Committee on Banking, Housing, and
2 Urban Affairs of the Senate;

3 (4) the Committee on Foreign Affairs of the
4 House of Representatives;

5 (5) the Committee on Homeland Security of the
6 House of Representatives; and

7 (6) the Committee on Financial Services of the
8 House of Representatives.

9 **SEC. 164. CLASSIFIED BRIEFING ON ACTIVITIES OF CER-**
10 **TAIN FOREIGN GOVERNMENTS AND ACTORS**
11 **IN VENEZUELA.**

12 (a) IN GENERAL.—Not later than 90 days after the
13 date of the enactment of this Act, the Secretary of State,
14 acting through the Bureau of Intelligence and Research
15 of the Department of State, and in coordination with the
16 Director of National Intelligence, shall provide a classified
17 briefing to the appropriate congressional committees on—

18 (1) the full extent of cooperation by the Govern-
19 ment of the Russian Federation, the Government of
20 the People’s Republic of China, the Government of
21 Cuba, and the Government of Iran with the Maduro
22 regime; and

23 (2) the activities inside Venezuelan territory of
24 foreign armed groups, including Colombian criminal
25 organizations and defectors from the Colombian gue-

1 rilla group known as the Revolutionary Armed
2 Forces of Colombia, and foreign terrorist organiza-
3 tions, including the Colombian guerilla group known
4 as the National Liberation Army (ELN).

5 (b) APPROPRIATE CONGRESSIONAL COMMITTEES.—

6 In this section, the term “appropriate congressional com-
7 mittees” means—

8 (1) the Committee on Foreign Relations of the
9 Senate;

10 (2) the Select Committee on Intelligence of the
11 Senate;

12 (3) the Committee on Foreign Affairs of the
13 House of Representatives; and

14 (4) the Permanent Select Committee on Intel-
15 ligence of the House of Representatives.

16 **SEC. 165. COUNTERING RUSSIAN INFLUENCE IN VEN-**
17 **EZUELA.**

18 (a) SHORT TITLE.—This section may be cited as the
19 “Russian-Venezuelan Threat Mitigation Act”.

20 (b) THREAT ASSESSMENT AND STRATEGY TO
21 COUNTER RUSSIAN INFLUENCE IN VENEZUELA.—

22 (1) DEFINED TERM.—In this subsection, the
23 term “appropriate congressional committees”
24 means—

1 (A) the Committee on Foreign Relations of
2 the Senate; and

3 (B) the Committee on Foreign Affairs of
4 the House of Representatives.

5 (2) THREAT ASSESSMENT.—Not later than 120
6 days after the date of the enactment of this Act, the
7 Secretary of State shall submit a report to the ap-
8 propriate congressional committees regarding—

9 (A) an assessment of Russian-Venezuelan
10 security cooperation;

11 (B) the potential threat such cooperation
12 poses to the United States and countries in the
13 Western Hemisphere; and

14 (C) a strategy to counter threats identified
15 in subparagraphs (A) and (B).

16 (c) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR
17 PAROLE.—

18 (1) ALIENS DESCRIBED.—An alien described in
19 this paragraph is an alien who the Secretary of
20 State or the Secretary of Homeland Security (or a
21 designee of either Secretary) knows, or has reason to
22 believe, is acting or has acted on behalf of the Gov-
23 ernment of Russia in direct support of the security
24 forces of the Maduro regime.

1 (2) VISAS, ADMISSION, OR PAROLE.—An alien
2 described in paragraph (1) is—

3 (A) inadmissible to the United States;

4 (B) ineligible to receive a visa or other doc-
5 umentation to enter the United States; and

6 (C) otherwise ineligible to be admitted or
7 paroled into the United States or to receive any
8 benefit under the Immigration and Nationality
9 Act (8 U.S.C. 1101 et seq.).

10 (3) CURRENT VISAS REVOKED.—

11 (A) IN GENERAL.—An alien described in
12 paragraph (1) is subject to revocation of any
13 visa or other entry documentation regardless of
14 when the visa or other entry documentation is
15 or was issued.

16 (B) IMMEDIATE EFFECT.—A revocation
17 under subparagraph (A) shall—

18 (i) take effect immediately; and

19 (ii) automatically cancel any other
20 valid visa or entry documentation that is in
21 the alien's possession.

22 (4) EXCEPTIONS.—Sanctions under paragraphs
23 (2) and (3) shall not apply with respect to an alien
24 if admitting or paroling the alien into the United
25 States is necessary—

1 (A) to permit the United States to comply
2 with the Agreement regarding the Head-
3 quarters of the United Nations, signed at Lake
4 Success June 26, 1947, and entered into force
5 November 21, 1947, between the United Na-
6 tions and the United States, or other applicable
7 international obligations; or

8 (B) to carry out or assist law enforcement
9 activity in the United States.

10 (5) NATIONAL SECURITY.—The President may
11 waive the application of this subsection with respect
12 to an alien if the President—

13 (A) determines that such a waiver is in the
14 national interest of the United States; and

15 (B) submits a notice of, and justification
16 for, such waiver to the appropriate congres-
17 sional committees.

18 (6) SUNSET.—This subsection shall terminate
19 on the date that is 1 year after the date of the en-
20 actment of this Act.

21 **SEC. 166. RESTRICTION ON EXPORT OF COVERED ARTI-**
22 **CLES AND SERVICES TO CERTAIN SECURITY**
23 **FORCES OF VENEZUELA.**

24 (a) SHORT TITLE.—This section may be cited as the
25 “Venezuela Arms Restriction Act”.

1 (b) DEFINITIONS.—In this section:

2 (1) APPROPRIATE CONGRESSIONAL COMMIT-
3 TEES.—The term “appropriate congressional com-
4 mittees” means—

5 (A) the Committee on Foreign Relations of
6 the Senate;

7 (B) the Committee on Banking, Housing,
8 and Urban Affairs of the Senate;

9 (C) the Committee on Foreign Affairs of
10 the House of Representatives; and

11 (D) the Committee on Financial Services
12 of the House of Representatives.

13 (2) COVERED ARTICLE OR SERVICE.—The term
14 “covered article or service”—

15 (A) for purposes of subsection (c),
16 means—

17 (i) a defense article or defense service
18 (as such terms are defined in section 47 of
19 the Arms Export Control Act (22 U.S.C.
20 2794)); and

21 (ii) any article included on the Com-
22 merce Control List set forth in Supplement
23 No. 1 to part 774 of the Export Adminis-
24 tration Regulations under subchapter C of
25 chapter VII of title 15, Code of Federal

1 Regulations, and controlled for crime con-
2 trol purposes, if the end user is likely to
3 use the article to violate the human rights
4 of the citizens of Venezuela; and

5 (B) for purposes of subsection (d),
6 means—

7 (i) any defense article or defense serv-
8 ice of the type described in section 47 of
9 the Arms Export Control Act (22 U.S.C.
10 2794); and

11 (ii) any article of the type included on
12 the Commerce Control List set forth in
13 Supplement No. 1 to part 774 of the Ex-
14 port Administration Regulations and con-
15 trolled for crime control purposes.

16 (3) FOREIGN PERSON.—The term “foreign per-
17 son” means a person that is not a United States
18 person.

19 (4) PERSON.—The term “person” means an in-
20 dividual or entity.

21 (5) SECURITY FORCES OF VENEZUELA.—The
22 term “security forces of Venezuela” includes—

23 (A) the Bolivarian National Armed Forces,
24 including the Bolivarian National Guard;

1 (B) the Bolivarian National Intelligence
2 Service;

3 (C) the Bolivarian National Police; and

4 (D) the Bureau for Scientific, Criminal
5 and Forensic Investigations of the Ministry of
6 Interior, Justice, and Peace.

7 (6) UNITED STATES PERSON.—The term
8 “United States person” means—

9 (A) a United States citizen or an alien law-
10 fully admitted for permanent residence to the
11 United States; or

12 (B) an entity organized under the laws of
13 the United States or of any jurisdiction within
14 the United States, including a foreign branch of
15 such an entity.

16 (c) RESTRICTION ON EXPORT OF COVERED ARTI-
17 CLES AND SERVICES TO CERTAIN SECURITY FORCES OF
18 VENEZUELA.—

19 (1) IN GENERAL.—Notwithstanding any other
20 provision of law, covered articles or services may not
21 be exported from the United States to any element
22 of the security forces of the Maduro regime.

23 (2) DETERMINATION.—Not later than 180 days
24 after the date of the enactment of this Act, the Sec-
25 retary of State, in consultation with the Secretary of

1 Commerce and the heads of other departments and
2 agencies, as appropriate, shall—

3 (A) determine, using such information that
4 is available to the Secretary of State, whether
5 any covered article or service has been trans-
6 ferred since July 2017 to the security forces of
7 Venezuela without a license or other authoriza-
8 tion as required by law; and

9 (B) submit such determination in writing
10 to the appropriate congressional committees.

11 (d) REPORT.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Sec-
14 retary of State, in consultation with the Secretary of
15 Commerce, as appropriate, shall submit a report to
16 the appropriate congressional committees regarding
17 the transfer by foreign persons of covered articles or
18 services to elements of the security forces of Ven-
19 ezuela that are under the authority of the Maduro
20 regime.

21 (2) MATTERS TO BE INCLUDED.—The report
22 required under paragraph (1) shall include—

23 (A) a list of all significant transfers by for-
24 eign persons of covered articles or services to

1 such elements of the security forces of Ven-
2 ezuela since July 2017;

3 (B) a list of all foreign persons who main-
4 tain an existing defense relationship with such
5 elements of the security forces of Venezuela;
6 and

7 (C) any known use of covered articles or
8 services by such elements of the security forces
9 of Venezuela or associated forces, including
10 paramilitary groups, that have coordinated with
11 such security forces to assault, intimidate, or
12 murder political activists, protesters, dissidents,
13 and other civil society leaders, including Juan
14 Guaidó.

15 (e) SUNSET.—This section shall terminate on the
16 earlier of—

17 (1) the date that is 3 years after the date of the
18 enactment of this Act; or

19 (2) the date on which the President certifies to
20 the appropriate congressional committees that the
21 Government of Venezuela has returned to a demo-
22 cratic form of government with respect for the es-
23 sential elements of representative democracy as set
24 forth in Article 3 of the Inter-American Democratic

1 Charter, adopted by the Organization of American
2 States in Lima on September 11, 2001.

3 **Subtitle G—Cryptocurrency and**
4 **Ensuring the Effectiveness of**
5 **United States Sanctions**

6 **SEC. 171. BRIEFING ON THE IMPACT OF**
7 **CRYPTOCURRENCIES ON UNITED STATES**
8 **SANCTIONS.**

9 (a) DEFINITION.—In this section, the term “appro-
10 priate congressional committees” means—

11 (1) the Committee on Foreign Relations of the
12 Senate;

13 (2) the Committee on Banking, Housing, and
14 Urban Affairs of the Senate;

15 (3) the Committee on Foreign Affairs of the
16 House of Representatives; and

17 (4) the Committee on Financial Services of the
18 House of Representatives.

19 (b) METHODOLOGY.—Not later than 180 days after
20 the date of the enactment of this Act, the Secretary of
21 State and the Secretary of the Treasury, after consulta-
22 tion with the Chairman of the Securities and Exchange
23 Commission and the Chairman of the Commodity Futures
24 Trading Commission, shall develop a methodology to as-
25 sess how any digital currency, digital coin, or digital token,

1 that was issued by, for, or on behalf of the Maduro regime
2 is being utilized to circumvent or undermine United States
3 sanctions.

4 (c) BRIEFING.—Not later than 180 days after the
5 date of the enactment of this Act, the Secretary of State
6 and the Secretary of the Treasury shall brief the appro-
7 priate congressional committees on the methodology devel-
8 oped under subsection (b).

9 **Subtitle H—Miscellaneous**

10 **Provisions**

11 **SEC. 181. CONGRESSIONAL BRIEFINGS.**

12 (a) HUMANITARIAN ASSISTANCE; SANCTIONS CO-
13 ORDINATION.—

14 (1) IN GENERAL.—Not later than 15 days after
15 any of the congressional committees listed in para-
16 graph (2) requests a briefing regarding the imple-
17 mentation—

18 (A) of section 121, the Secretary of State
19 and the Administrator of the United States
20 Agency for International Development shall
21 provide such briefing to such committee; and

22 (B) of section 161, the Secretary of State
23 shall provide such briefing to such committee.

24 (2) CONGRESSIONAL COMMITTEES.—The com-
25 mittees listed in this paragraph are—

1 (A) the Committee on Foreign Relations of
2 the Senate;

3 (B) the Committee on Appropriations of
4 the Senate;

5 (C) the Committee on Foreign Affairs of
6 the House of Representatives; and

7 (D) the Committee on Appropriations of
8 the House of Representatives.

9 (b) UNITED NATIONS; NEGOTIATED SOLUTION;
10 CRIMES AGAINST HUMANITY.—

11 (1) IN GENERAL.—Not later than 15 days after
12 any congressional committee listed in paragraph (2)
13 requests a briefing regarding the implementation of
14 section 113, 122, or 142, the Secretary of State
15 shall provide such briefing to such committee.

16 (2) CONGRESSIONAL COMMITTEES.—The con-
17 gressional committees listed in this paragraph are—

18 (A) the Committee on Foreign Relations of
19 the Senate; and

20 (B) the Committee on Foreign Affairs of
21 the House of Representatives.

22 (c) REGIME COHESION.—

23 (1) IN GENERAL.—Not later than 15 days after
24 a congressional committee listed in paragraph (2)
25 requests a briefing regarding the implementation of

1 section 131, the Secretary of State and the Director
2 of National Intelligence shall provide such briefing
3 to such committee.

4 (2) CONGRESSIONAL COMMITTEES.—The con-
5 gressional committees listed in this paragraph are—

6 (A) the Committee on Foreign Relations of
7 the Senate;

8 (B) the Select Committee on Intelligence
9 of the Senate;

10 (C) the Committee on Foreign Affairs of
11 the House of Representatives; and

12 (D) the Permanent Select Committee on
13 Intelligence of the House of Representatives.

14 (d) INTERNATIONAL ELECTION OBSERVATION;
15 DEMOCRATIC CIVIL SOCIETY.—Not later than 15 days
16 after a congressional committee listed in subsection (a)(2)
17 requests a briefing regarding the implementation of sec-
18 tion 143, the Secretary of State and the Administrator
19 of the United States Agency for International Develop-
20 ment shall provide such briefing to such committee.

21 (e) VISA RESTRICTIONS; SANCTIONS WAIVER.—Not
22 later than 15 days after a congressional committee listed
23 in subsection (b)(2) requests a briefing regarding the im-
24 plementation of section 132 or 133, the Secretary of State
25 shall provide such briefing to such committee.

1 (f) RECOVERY OF STOLEN ASSETS.—

2 (1) IN GENERAL.—Not later than 15 days after
3 a congressional committee listed in paragraph (2)
4 requests a briefing regarding the implementation of
5 section 151, the Secretary of State, the Secretary of
6 the Treasury, and the Attorney General shall pro-
7 vide such briefing to such committee.

8 (2) CONGRESSIONAL COMMITTEES.—The con-
9 gressional committees listed in this paragraph are—

10 (A) the Committee on Foreign Relations of
11 the Senate;

12 (B) the Committee on Banking, Housing,
13 and Urban Affairs of the Senate;

14 (C) the Committee on the Judiciary of the
15 Senate;

16 (D) the Committee on Foreign Affairs of
17 the House of Representatives;

18 (E) the Committee on Financial Services
19 of the House of Representatives; and

20 (F) the Committee on the Judiciary of the
21 House of Representatives.

22 (g) PDVSA TRANSACTIONS WITH ROSNEFT.—

23 (1) IN GENERAL.—Not later than 15 days after
24 a congressional committee listed in paragraph (2)
25 requests a briefing regarding the implementation of

1 section 163, the Secretary of State, the Secretary of
2 the Treasury, and the Secretary of Homeland Security
3 shall provide such briefing to such committee.

4 (2) CONGRESSIONAL COMMITTEES.—The congressional
5 committees listed in this paragraph are—

6 (A) the Committee on Foreign Relations of
7 the Senate;

8 (B) the Committee on Homeland Security
9 and Governmental Affairs of the Senate;

10 (C) the Committee on Foreign Affairs of
11 the House of Representatives; and

12 (D) the Committee on Homeland Security
13 of the House of Representatives.

14 **SEC. 182. PROHIBITION ON CONSTRUCTION OF PROVISIONS**
15 **OF THIS TITLE AS AN AUTHORIZATION FOR**
16 **THE USE OF MILITARY FORCE.**

17 Nothing in this title may be construed as an author-
18 ization for the use of military force.

19 **SEC. 183. EXTENSION AND TERMINATION OF SANCTIONS**
20 **AGAINST VENEZUELA.**

21 (a) AMENDMENT.—Section 5(e) of the Venezuela De-
22 fense of Human Rights and Civil Society Act of 2014
23 (Public Law 113–278; 50 U.S.C. 1701 note) is amended
24 by striking “December 31, 2019” and inserting “Decem-
25 ber 31, 2023”.

1 (b) TERMINATION.—The requirement to impose sanc-
2 tions under this title shall terminate on December 31,
3 2023.

4 **TITLE II—EASTERN MEDITERRA-**
5 **NEAN SECURITY AND ENERGY**
6 **PARTNERSHIP**

7 **SEC. 201. SHORT TITLE.**

8 This title may be cited as the “Eastern Mediterra-
9 nean Security and Energy Partnership Act of 2019”.

10 **SEC. 202. FINDINGS.**

11 Congress makes the following findings:

12 (1) The security of partners and allies in the
13 Eastern Mediterranean region is critical to the secu-
14 rity of the United States and Europe.

15 (2) Greece is a valuable member of the North
16 Atlantic Treaty Organization (NATO) and a key pil-
17 lar of stability in the Eastern Mediterranean.

18 (3) Israel is a steadfast ally of the United
19 States and has been designated a “major non-NATO
20 ally” and “major strategic partner”.

21 (4) Cyprus is a key strategic partner and
22 signed a Statement of Intent with the United States
23 on November 6, 2018, to enhance bilateral security
24 cooperation.

1 (5) The countries of Greece, Cyprus, and Israel
2 have participated in critical trilateral summits to im-
3 prove cooperation on energy and security issues.

4 (6) Secretary of State Mike Pompeo partici-
5 pated in the trilateral summit among Israel, Greece,
6 and Cyprus on March 20, 2019.

7 (7) The United States, Israel, Greece, and Cy-
8 prus oppose any action in the Eastern Mediterra-
9 nean and the Aegean Sea that could challenge sta-
10 bility, violate international law, or undermine good
11 neighborly relations, and in a joint declaration on
12 March 21, 2019, agreed to “defend against external
13 malign influences in the Eastern Mediterranean and
14 the broader Middle East”.

15 (8) The recent discovery of what may be the re-
16 gion’s largest natural gas field off the Egyptian
17 coast and the newest discoveries of natural gas off
18 the coast of Cyprus could represent a significant and
19 positive development for the Eastern Mediterranean
20 and the Middle East, enhancing the region’s stra-
21 tegic energy significance.

22 (9) It is in the national security interest of the
23 United States to promote, achieve, and maintain en-
24 ergy security among, and through cooperation with,
25 allies.

1 (10) Natural gas developments in the Eastern
2 Mediterranean have the potential to provide eco-
3 nomic gains and contribute to energy security in the
4 region and Europe, as well as support European ef-
5 forts to diversify away from natural gas supplied by
6 the Russian Federation.

7 (11) The soon to be completed Trans Adriatic
8 Pipeline is a critical component of the Southern Gas
9 Corridor and the European Union’s efforts to diver-
10 sify energy resources.

11 (12) The proposed Eastern Mediterranean pipe-
12 line, if commercially viable, would provide for energy
13 diversification in accordance with the European
14 Union’s third energy package of reforms.

15 (13) The United States acknowledges the
16 achievements and importance of the Binational In-
17 dustrial Research and Development Foundation
18 (BIRD) and the United States-Israel Binational
19 Science Foundation (BSF) and supports continued
20 multiyear funding to ensure the continuity of the
21 programs of the Foundations.

22 (14) The United States has welcomed Greece’s
23 allocation of 2 percent of its gross domestic product
24 (GDP) to defense in accordance with commitments
25 made at the 2014 NATO Summit in Wales.

1 (15) Energy exploration in the Eastern Medi-
2 terranean region must be safeguarded against
3 threats posed by terrorist and extremist groups, in-
4 cluding Hezbollah and any other actor in the region.

5 (16) The energy exploration in the Republic of
6 Cyprus's Exclusive Economic Zone and territorial
7 waters—

8 (A) furthers United States interests by
9 providing a potential alternative to Russian gas
10 for United States allies and partners; and

11 (B) should not be impeded by other sov-
12 ereign states.

13 (17) The United States Government cooperates
14 closely with Cyprus, Greece, and Israel through in-
15 formation sharing agreements.

16 (18) United States officials have assisted the
17 Government of the Republic of Cyprus with crafting
18 that nation's national security strategy.

19 (19) The United States Government provides
20 training to Cypriot officials in areas such as
21 cybersecurity, counterterrorism, and explosive ord-
22 nance disposal and stockpile management.

23 (20) Israel, Greece, and Cyprus are valued
24 members of the Proliferation Security Initiative to

1 combat the trafficking of weapons of mass destruc-
2 tion.

3 (21) The Republic of Cyprus continues to work
4 closely with the United Nations and regional part-
5 ners in Europe to combat terrorism and violent ex-
6 tremism.

7 (22) Despite robust economic and security rela-
8 tions with the United States, the Republic of Cyprus
9 has been subject to a United States prohibition on
10 the export of defense articles and services since
11 1987.

12 (23) The 1987 arms prohibition was designed
13 to restrict United States arms sales and transfers to
14 the Republic of Cyprus and the occupied part of Cy-
15 prus to avoid hindering reunification efforts.

16 (24) At least 40,000 Turkish troops are sta-
17 tioned in the occupied part of Cyprus with some
18 weapons procured from the United States through
19 mainland Turkey.

20 (25) While the United States has, as a matter
21 of policy, avoided the provision of defense articles
22 and services to the Republic of Cyprus, the Govern-
23 ment of Cyprus has, in the past, sought to obtain
24 defense articles from other countries, including coun-

1 tries, such as Russia, that pose challenges to United
2 States interests around the world.

3 **SEC. 203. STATEMENT OF POLICY.**

4 It is the policy of the United States—

5 (1) to continue to actively participate in the tri-
6 lateral dialogue on energy, maritime security,
7 cybersecurity and protection of critical infrastructure
8 conducted among Israel, Greece, and Cyprus;

9 (2) to support diplomatic efforts with partners
10 and allies to deepen energy security cooperation
11 among Greece, Cyprus, and Israel and to encourage
12 the private sector to make investments in energy in-
13 frastructure in the Eastern Mediterranean region;

14 (3) to strongly support the completion of the
15 Trans Adriatic and Eastern Mediterranean Pipelines
16 and the establishment of liquified natural gas (LNG)
17 terminals across the Eastern Mediterranean as a
18 means of diversifying regional energy needs away
19 from the Russian Federation;

20 (4) to maintain a robust United States naval
21 presence and investments in the naval facility at
22 Souda Bay, Greece and develop deeper security co-
23 operation with Greece to include the recent MQ-9
24 deployments to the Larissa Air Force Base and

1 United States Army helicopter training in central
2 Greece;

3 (5) to welcome Greece's commitment to move
4 forward with the Interconnector Greece-Bulgaria
5 (IGB pipeline) and additional LNG terminals that
6 will help facilitate delivery of non-Russian gas to the
7 Balkans and central Europe;

8 (6) to support deepened security cooperation
9 with the Republic of Cyprus through the removal of
10 the arms embargo on the country;

11 (7) to support robust International Military
12 Education and Training (IMET) programming with
13 Greece and the Republic of Cyprus;

14 (8) to leverage relationships within the Euro-
15 pean Union to encourage investments in Cypriot bor-
16 der and maritime security;

17 (9) to support efforts to counter Russian Fed-
18 eration interference and influence in the Eastern
19 Mediterranean through increased security coopera-
20 tion with Greece, Cyprus, and Israel, to include in-
21 telligence sharing, cyber, and maritime domain
22 awareness;

23 (10) to support the Republic of Cyprus' efforts
24 to regulate its banking industry to ensure that it is
25 not used as a source of international money laun-

1 dering and encourage additional measures toward
2 that end;

3 (11) to strongly oppose any actions that would
4 trigger mandatory sanctions pursuant to section 231
5 of the Countering America's Adversaries Through
6 Sanctions Act (CAATSA) (Public Law 115–44), to
7 include the purchase of military equipment from the
8 Russian Federation;

9 (12) to continue robust official strategic en-
10 gagement with Israel, Greece, and Cyprus;

11 (13) to urge countries in the region to deny
12 port services to Russian Federation vessels deployed
13 to support the government of Bashar Al-Assad in
14 Syria;

15 (14) to support joint military exercises among
16 Israel, Greece, and Cyprus;

17 (15) to fully implement relevant CAATSA pro-
18 visions to prevent interference by the Russian Fed-
19 eration in the region;

20 (16) to support efforts by countries in the re-
21 gion to demobilize military equipment supplied by
22 the Russian Federation in favor of equipment pro-
23 vided by NATO and NATO-allied member countries;
24 and

1 (17) to strongly support the active and robust
2 participation of Israel, Cyprus, and Greece in the
3 Combating Terrorism Fellowship Program.

4 **SEC. 204. UNITED STATES-EASTERN MEDITERRANEAN EN-**
5 **ERGY COOPERATION.**

6 (a) **IN GENERAL.**—The Secretary of State, in coordi-
7 nation with the Secretary of Energy, may enter into coop-
8 erative agreements supporting and enhancing dialogue
9 and planning involving international partnerships between
10 the United States and Israel, Greece, and the Republic
11 of Cyprus.

12 (b) **ANNUAL REPORTS.**—If the Secretary of State, in
13 coordination with the Secretary of Energy, enters into
14 agreements authorized under subsection (a), the Secretary
15 shall submit an annual report to the appropriate congress-
16 sional committees that describes—

17 (1) actions taken to implement such agree-
18 ments; and

19 (2) any projects undertaken pursuant to such
20 agreements.

21 (c) **UNITED STATES-EASTERN MEDITERRANEAN EN-**
22 **ERGY CENTER.**—The Secretary of Energy, in coordination
23 with the Secretary of State, may establish a joint United
24 States-Eastern Mediterranean Energy Center in the
25 United States leveraging the experience, knowledge, and

1 expertise of institutions of higher education and entities
2 in the private sector, among others, in offshore energy de-
3 velopment to further dialogue and collaboration to develop
4 more robust academic cooperation in energy innovation
5 technology and engineering, water science, technology
6 transfer, and analysis of emerging geopolitical implica-
7 tions, which include opportunities as well as crises and
8 threats from foreign natural resource and energy acquisi-
9 tions.

10 **SEC. 205. REPEAL OF PROHIBITION ON TRANSFER OF ARTI-**
11 **CLES ON THE UNITED STATES MUNITIONS**
12 **LIST TO THE REPUBLIC OF CYPRUS.**

13 (a) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that—

15 (1) allowing for the export, re-export or trans-
16 fer of arms subject to the United States Munitions
17 List (part 121 of title 22, Code of Federal Regula-
18 tions) to the Republic of Cyprus would advance
19 United States security interests in Europe by help-
20 ing to reduce the dependence of the Government of
21 the Republic of Cyprus on other countries, including
22 countries that pose challenges to United States in-
23 terests around the world, for defense-related mate-
24 riel; and

1 (2) it is in the interest of the United States to
2 continue to support United Nations-facilitated ef-
3 forts toward a comprehensive solution to the division
4 of Cyprus.

5 (b) MODIFICATION OF PROHIBITION.—Section
6 620C(e) of the Foreign Assistance Act of 1961 (22 U.S.C.
7 2373(e)) is amended—

8 (1) in paragraph (1), by striking “Any agree-
9 ment” and inserting “Except as provided in para-
10 graph (3), any agreement”; and

11 (2) by adding at the end the following new
12 paragraph:

13 “(3) The requirement under paragraph (1) shall not
14 apply to any sale or other provision of any defense article
15 or defense service to Cyprus if the end-user of such de-
16 fense article or defense service is the Government of the
17 Republic of Cyprus.”.

18 (c) EXCLUSION OF THE GOVERNMENT OF THE RE-
19 PUBLIC OF CYPRUS FROM CERTAIN RELATED REGULA-
20 TIONS.—

21 (1) IN GENERAL.—Subject to subsection (d)
22 and except as provided in paragraph (2), beginning
23 on the date of the enactment of this Act, the Sec-
24 retary of State shall not apply a policy of denial for
25 exports, re-exports, or transfers of defense articles

1 and defense services destined for or originating in
2 the Republic of Cyprus if—

3 (A) the request is made by or on behalf of
4 the Government of the Republic of Cyprus; and

5 (B) the end-user of such defense articles or
6 defense services is the Government of the Re-
7 public of Cyprus.

8 (2) EXCEPTION.—This exclusion shall not apply
9 to any denial based upon credible human rights con-
10 cerns.

11 (d) LIMITATIONS ON THE TRANSFER OF ARTICLES
12 ON THE UNITED STATES MUNITIONS LIST TO THE RE-
13 PUBLIC OF CYPRUS.—

14 (1) IN GENERAL.—The policy of denial for ex-
15 ports, re-exports, or transfers of defense articles on
16 the United States Munitions List to the Republic of
17 Cyprus shall remain in place unless the President
18 determines and certifies to the appropriate congres-
19 sional committees not less than annually that—

20 (A) the Government of the Republic of Cy-
21 prus is continuing to cooperate with the United
22 States Government in efforts to implement re-
23 forms on anti-money laundering regulations and
24 financial regulatory oversight; and

1 (B) the Government of the Republic of Cy-
2 prus has made and is continuing to take the
3 steps necessary to deny Russian military vessels
4 access to ports for refueling and servicing.

5 (2) WAIVER.—The President may waive the
6 limitations contained in this subsection for one fiscal
7 year if the President determines that it is essential
8 to the national security interests of the United
9 States to do so.

10 (3) APPROPRIATE CONGRESSIONAL COMMIT-
11 TEES DEFINED.—In this section, the term “appro-
12 priate congressional committees” means—

13 (A) the Committee on Foreign Relations
14 and the Committee on Armed Services of the
15 Senate; and

16 (B) the Committee on Foreign Affairs and
17 the Committee on Armed Services of the House
18 of Representatives.

19 **SEC. 206. IMET COOPERATION WITH GREECE AND THE RE-**
20 **PUBLIC OF CYPRUS.**

21 There is authorized to be appropriated \$1,300,000
22 for fiscal year 2020, \$1,500,000 for fiscal year 2021, and
23 \$1,800,000 for fiscal year 2022 for International Military
24 Education and Training (IMET) assistance for Greece
25 and \$200,000 for fiscal year 2020, \$500,000 for fiscal

1 year 2021, and \$750,000 for fiscal year 2022 for such
2 assistance for the Republic of Cyprus. The assistance shall
3 be made available for the following purposes:

4 (1) Training of future leaders.

5 (2) Fostering a better understanding of the
6 United States.

7 (3) Establishing a rapport between the United
8 States military and the country's military to build
9 alliances for the future.

10 (4) Enhancement of interoperability and capa-
11 bilities for joint operations.

12 (5) Focusing on professional military education.

13 (6) Enabling countries to use their national
14 funds to receive a reduced cost for other Department
15 of Defense education and training.

16 **SEC. 207. FOREIGN MILITARY FINANCING.**

17 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There is
18 authorized to be appropriated for fiscal year 2021 up to
19 \$3,000,000 for Foreign Military Financing (FMF) assist-
20 ance for Greece to assist the country in meeting its com-
21 mitment as a member of the North Atlantic Treaty Orga-
22 nization (NATO) to dedicate 20 percent of its defense
23 budget to enhance research and development.

24 (b) **SENSE OF CONGRESS.**—It is the sense of Con-
25 gress that Greece should receive robust support under the

1 European Recapitalization Incentive Program imple-
2 mented by the Department of Defense.

3 **SEC. 208. STRATEGY ON UNITED STATES SECURITY AND EN-**
4 **ERGY COOPERATION IN THE EASTERN MEDI-**
5 **TERRANEAN.**

6 (a) IN GENERAL.—Not later than 90 days after the
7 date of the enactment of this Act, the Secretary of State,
8 in consultation with the Secretary of Defense and the Sec-
9 retary of Energy, shall submit to the appropriate congres-
10 sional committees a strategy on enhanced security and en-
11 ergy cooperation with countries in the Eastern Mediterra-
12 nean region, including Israel, the Republic of Cyprus, and
13 Greece.

14 (b) ELEMENTS.—The report required under sub-
15 section (a) shall include the following elements:

16 (1) A description of United States participation
17 in and support for the Eastern Mediterranean Nat-
18 ural Gas Forum.

19 (2) An evaluation of all possible delivery mecha-
20 nisms into Europe for natural gas discoveries in the
21 Eastern Mediterranean region.

22 (3) An evaluation of efforts to protect energy
23 exploration infrastructure in the region, including in-
24 frastructure owned or operated by United States
25 companies.

1 (b) ELEMENTS.—The report required under sub-
2 section (a) shall include the following elements:

3 (1) An assessment of security, political, and en-
4 ergy goals of the Russian Federation in the Eastern
5 Mediterranean.

6 (2) A description of energy projects of the Gov-
7 ernment of the Russian Federation in the Eastern
8 Mediterranean.

9 (3) A listing of Russian national ownership of
10 media outlets in these countries, including the name
11 of the media outlet, approximate viewership, and as-
12 sessment of whether the outlet promotes pro-Krem-
13 lin views.

14 (4) An assessment of military engagement by
15 the Government of the Russian Federation in the se-
16 curity sector, including engagement by military
17 equipment and personnel contractors.

18 (5) An assessment of efforts supported by the
19 Government of the Russian Federation to influence
20 elections in the three countries, through the use of
21 cyber attacks, social media campaigns, or other ma-
22 lign influence techniques.

23 (6) An assessment of efforts by the Government
24 of the Russian Federation to intimidate and influ-
25 ence the decision by His All Holiness Ecumenical

1 Patriarch Bartholomew, leader of 300,000,000 Or-
2 thodox Christians worldwide, to grant autocephaly to
3 the Ukrainian Orthodox Church.

4 (c) FORM.—The report required under subsection (a)
5 shall be submitted in unclassified form, but may contain
6 a classified annex.

7 **SEC. 210. REPORT ON INTERFERENCE BY OTHER COUN-**
8 **TRIES IN THE EXCLUSIVE ECONOMIC ZONE**
9 **OF THE REPUBLIC OF CYPRUS.**

10 (a) IN GENERAL.—Not later than 90 days after the
11 date of the enactment of this Act, the Secretary of State,
12 in consultation with the Secretary of Defense and the Sec-
13 retary of Energy, shall submit to the appropriate congres-
14 sional committees a report listing incidents since January
15 1, 2017, determined by the Secretary of State to interfere
16 in efforts by the Republic of Cyprus to explore and exploit
17 natural resources in its Exclusive Economic Zone.

18 (b) FORM.—The report required under subsection (a)
19 shall be submitted in unclassified form, but may contain
20 a classified annex.

21 **SEC. 211. REPORT ON INTERFERENCE BY OTHER COUN-**
22 **TRIES IN THE AIRSPACE OF GREECE.**

23 (a) IN GENERAL.—Not later than 90 days after the
24 date of the enactment of this Act, the Secretary of State,
25 in consultation with the Secretary of Defense, shall submit

1 to the appropriate congressional committees a report list-
2 ing incidents since January 1, 2017, determined by the
3 Secretary of State to be violations of the airspace of the
4 sovereign territory of Greece by its neighbors.

5 (b) FORM.—The report required under subsection (a)
6 shall be submitted in unclassified form, but may contain
7 a classified annex.

8 **SEC. 212. APPROPRIATE CONGRESSIONAL COMMITTEES.**

9 In this title, the term “appropriate congressional
10 committees” means the Committee on Foreign Relations
11 of the Senate and the Committee on Foreign Affairs of
12 the House of Representatives.

13 **TITLE III—END NEGLECTED**
14 **TROPICAL DISEASES ACT**

15 **SEC. 301. SHORT TITLE.**

16 This title may be cited as the “End Neglected Trop-
17 ical Diseases Act”.

18 **SEC. 302. STATEMENT OF POLICY.**

19 It is the policy of the United States to support a
20 broad range of implementation and research and develop-
21 ment activities that work toward the achievement of cost-
22 effective and sustainable treatment, control, and, where
23 possible, elimination of neglected tropical diseases for the
24 economic and social well-being of all people.

1 **SEC. 303. DEFINITION.**

2 In this title, the terms “neglected tropical diseases”
3 and “NTDs”—

4 (1) mean infections caused by pathogens, in-
5 cluding viruses, bacteria, protozoa, and helminths
6 that disproportionately impact individuals living in
7 extreme poverty, especially in developing countries;
8 and

9 (2) include—

10 (A) Buruli ulcer (*Mycobacterium Ulcerans*
11 infection);

12 (B) Chagas disease;

13 (C) dengue or severe dengue fever;

14 (D) dracunculiasis (Guinea worm disease);

15 (E) echinococcosis;

16 (F) foodborne trematodiasis;

17 (G) human African trypanosomiasis (sleep-
18 ing sickness);

19 (H) leishmaniasis;

20 (I) leprosy;

21 (J) lymphatic filariasis (elephantiasis);

22 (K) onchocerciasis (river blindness);

23 (L) scabies;

24 (M) schistosomiasis;

25 (N) soil-transmitted helminthiasis (STH)
26 (roundworm, whipworm, and hookworm);

- 1 (O) taeniasis/cysticercosis;
2 (P) trachoma; and
3 (Q) yaws (endemic treponematoses).

4 **SEC. 304. EXPANSION OF UNITED STATES AGENCY FOR**
5 **INTERNATIONAL DEVELOPMENT NEGLECTED**
6 **TROPICAL DISEASES PROGRAM.**

7 (a) SENSE OF CONGRESS.—It is the sense of Con-
8 gress that the Neglected Tropical Diseases Program, as
9 in effect on the date of the enactment of this Act, should—

10 (1) provide integrated drug treatment packages
11 to as many individuals suffering from NTDs or at
12 risk of acquiring NTDs, including individuals dis-
13 placed by manmade and natural disasters, as
14 logistically feasible;

15 (2) better integrate NTD control and treatment
16 tools and approaches into complementary develop-
17 ment and global health programs by coordinating, to
18 the extent practicable and appropriate, across mul-
19 tiple sectors, including those relating to HIV/AIDS,
20 malaria, tuberculosis, education, nutrition, other in-
21 fectionous diseases, maternal and child health, and
22 water, sanitation, and hygiene;

23 (3) establish low-cost, high-impact community-
24 and school-based NTD programs to reach large at-

1 risk populations, including school-age children, with
2 integrated drug treatment packages, as feasible;

3 (4) as opportunities emerge and resources
4 allow, engage in research and development of new
5 tools and approaches to reach the goals relating to
6 the elimination of NTDs as set forth by the 2012
7 World Health Organization publication “Accel-
8 erating Work to Overcome the Global Impact of Ne-
9 glected Tropical Diseases: A Roadmap for Imple-
10 mentation”, including for Chagas disease, Guinea
11 worm, human African trypanosomiasis (sleeping
12 sickness), leprosy, and visceral leishmaniasis; and

13 (5) monitor research on and developments in
14 the prevention and treatment of other NTDs so
15 breakthroughs can be incorporated into the Ne-
16 glected Tropical Diseases Program, as practicable
17 and appropriate.

18 (b) PROGRAM PRIORITIES.—The Administrator of
19 the United States Agency for International Development
20 (referred to in this section as the “Administrator”) should
21 incorporate the following priorities into the Neglected
22 Tropical Diseases Program (as in effect on the date of
23 the enactment of this Act):

24 (1) Planning for and conducting robust moni-
25 toring and evaluation of program investments in

1 order to accurately measure impact, identify and
2 share lessons learned, and inform future NTD con-
3 trol and elimination strategies.

4 (2) Coordinating program activities with com-
5plementary development and global health programs
6of the United States Agency for International Devel-
7opment, including programs relating to water, sani-
8tation, and hygiene, food and nutrition security, and
9education (both primary and secondary), in order to
10advance the goals of the London Declaration on Ne-
11glected Tropical Diseases (2012).

12 (3) Including morbidity management in treat-
13ment plans for high-burden NTDs.

14 (4) Incorporating NTDs included in the Global
15Burden of Disease Study 2010 into the program as
16opportunities emerge, to the extent practicable and
17appropriate.

18 (5) Continuing investments in the research and
19development of new tools and approaches that com-
20plement existing research investments and ensure
21that new discoveries make it through the pipeline
22and become available to individuals who need them
23most.

1 **SEC. 305. ACTIONS BY DEPARTMENT OF STATE.**

2 (a) OFFICE OF THE GLOBAL AIDS COORDINATOR.—

3 It is the sense of Congress that the Coordinator of United
4 States Government Activities to Combat HIV/AIDS Glob-
5 ally should fully consider evolving research on the impact
6 of NTDs on efforts to control HIV/AIDS when making
7 future programming decisions, as necessary and appro-
8 priate.

9 (b) GLOBAL PROGRAMMING.—

10 (1) IN GENERAL.—The Secretary of State
11 should encourage the Global Fund to take into con-
12 sideration evolving research on the impact of NTDs
13 on efforts to control HIV/AIDS when making pro-
14 gramming decisions, particularly with regard to fe-
15 male genital schistosomiasis, which studies suggest
16 may be one of the most significant cofactors in the
17 AIDS epidemic in Africa, as necessary and appro-
18 priate.

19 (2) GLOBAL FUND.—In this subsection, the
20 term “Global Fund” means the public-private part-
21 nership known as the Global Fund to Fight AIDS,
22 Tuberculosis and Malaria established pursuant to
23 Article 80 of the Swiss Civil Code.

24 (c) G-20 COUNTRIES.—The Secretary of State, act-
25 ing through the Office of Global Health Diplomacy, should

1 encourage G–20 countries to significantly increase their
2 role in the control and elimination of NTDs.

3 **SEC. 306. MULTILATERAL DEVELOPMENT AND HEALTH IN-**
4 **STITUTIONS.**

5 (a) FINDING.—Congress finds that the treatment of
6 NTDs, including community- and school-based deworming
7 programs, can be a highly cost-effective intervention, and
8 schools can serve as an effective delivery mechanism for
9 reaching large numbers of children with safe treatment for
10 soil-transmitted helminthiases (roundworm, whipworm,
11 and hookworm) in particular.

12 (b) UNITED NATIONS.—The President should direct
13 the United States Permanent Representative to the
14 United Nations to use the voice, vote, and influence of the
15 United States to urge the World Health Organization and
16 the United Nations Development Programme to—

17 (1) ensure the dissemination of best practices
18 and programming on NTDs to governments and
19 make data accessible to practitioners in an open and
20 timely fashion;

21 (2) highlight impacts of community- and school-
22 based deworming programs on children’s health and
23 education, emphasizing the cost-effectiveness of such
24 programs;

1 (3) encourage governments to implement
2 deworming campaigns at the national level;

3 (4) consider the designation of a portion of
4 grant funds of the institutions to deworming initia-
5 tives and cross-sectoral collaboration with water,
6 sanitation, and hygiene efforts and nutrition or edu-
7 cation programming, as practicable and appropriate;

8 (5) encourage accurate monitoring and evalua-
9 tion of NTD programs, including deworming pro-
10 grams; and

11 (6) engage governments in cross-border initia-
12 tives for the treatment, control, prevention, and
13 elimination of NTDs, and assist in developing
14 transnational agreements, when and where nec-
15 essary.

16 **SEC. 307. RULE OF CONSTRUCTION.**

17 Nothing in this title may be construed to increase au-
18 thorizations of appropriations for the United States Agen-
19 cy for International Development.

20 **TITLE IV—PREVENTING CHILD**
21 **MARRIAGE IN DISPLACED**
22 **POPULATIONS**

23 **SEC. 401. SHORT TITLE.**

24 This title may be cited as the “Preventing Child Mar-
25 riage in Displaced Populations Act”.

1 **SEC. 402. FINDINGS.**

2 Congress finds the following:

3 (1) According to United Nations Children’s
4 Fund (UNICEF), 12,000,000 girls marry before the
5 age of 18 every year.

6 (2) Early marriage denies children, especially
7 girls, their right to make vital decisions about their
8 well-being, including relating to their health, family,
9 and career. Child brides are less likely to finish their
10 education, and are at higher risk for abuse, con-
11 tracting HIV, and dying while pregnant or giving
12 birth.

13 (3) Child marriage also imposes substantial eco-
14 nomic costs to developing countries, impeding devel-
15 opment and prosperity gains.

16 (4) Displaced populations are particularly vul-
17 nerable to child marriage, in communities where pov-
18 erty, instability, and displacement put pressure on
19 families to marry children, particularly young girls,
20 off at a young age.

21 (5) One United Nations (UN) study found that
22 child marriage rates were 4 times higher among dis-
23 placed Syrian refugees than among Syrians before
24 the crisis. This indicates that displacement, insta-
25 bility, and poverty are driving child marriages.

1 (6) United Nations agencies, including
2 UNICEF and the United Nations High Commis-
3 sioner for Refugees (UNHCR), have acknowledged
4 the dangers of child marriage and taken steps to ad-
5 dress its risk in the populations they serve.

6 (7) The UN Joint Program on Child Marriage
7 supports this work by building the resilience of pop-
8 ulations to indirectly prevent child marriage and by
9 generating new data and evidence on the prevalence
10 of child marriage in humanitarian and fragile set-
11 tings. For example, in Uganda, the UN Joint Pro-
12 gram on Child Marriage helped 27,000 adolescent
13 girls strengthen critical skills through school clubs
14 and Go Back to School campaigns, as well as life
15 skills and financial literacy training.

16 (8) After the UN Joint Program on Child Mar-
17 riage identified Yemen as one of its focus countries,
18 65,000 people, of whom 45,000 are adolescents,
19 were reached with awareness-raising activities on the
20 harms of child marriage in 2018 alone. As a result,
21 local council representatives, elders, and community
22 leaders from 6 districts signed a pledge to support
23 advocacy efforts to end child marriage.

1 **SEC. 403. PREVENTING CHILD MARRIAGE IN DISPLACED**
2 **POPULATIONS.**

3 (a) **IN GENERAL.**—The President shall direct the
4 United States Permanent Representative to the United
5 Nations to use the voice, vote, and influence of the United
6 States at the United Nations to call for an adoption of
7 an agreed upon definition of “child marriage” across
8 United Nations agencies.

9 (b) **STRATEGY.**—The President shall direct the
10 United States Permanent Representative to the United
11 Nations to use the voice, vote, and influence of the United
12 States at the United Nations to call for the development
13 of a comprehensive strategy to address child marriage in
14 refugee settlements administered by the United Nations.
15 The strategy should include the following elements:

16 (1) A mandate to regularly collect and report
17 data related to the number of known or suspected
18 child marriages taking place inside each such settle-
19 ment.

20 (2) Protocols for United Nations personnel re-
21 garding prevention and monitoring of child mar-
22 riages inside each such settlement.

23 (3) A description of United Nations programs
24 administered at such settlements that include—

1 (A) physical, mental, and emotional reha-
2 bilitation and support to children who have ex-
3 tricated themselves from child marriage; and

4 (B) alternatives to child marriage, such as
5 education initiatives.

6 (4) Protocols regarding how United Nations
7 personnel should—

8 (A) report adults participating in illegal
9 child marriages in each such settlement; and

10 (B) monitor the prosecution of such adults
11 by the authorities of the country in which the
12 settlement at issue is located.

13 (c) RESEARCH.—The President shall direct the
14 United States Permanent Representative to the United
15 Nations to use the voice, vote, and influence of the United
16 States at the United Nations to advocate for the United
17 Nations and its appropriate agencies to include, as appro-
18 priate, in all of its research regarding child marriage, the
19 relationship between child marriage and violence against
20 girls, including young children and infants.

21 (d) DEFINITIONS.—In this section:

22 (1) CHILD MARRIAGE.—The term “child mar-
23 riage” means a formal marriage or informal union
24 involving at least one person younger than age 18.

1 (2) ILLEGAL CHILD MARRIAGE.—The term “il-
2 legal child marriage” means a child marriage that is
3 illegal under the laws of the country in which the
4 child marriage occurs.

5 **TITLE V—GLOBAL FRAGILITY**

6 **SEC. 501. SHORT TITLE.**

7 This title may be cited as the “Global Fragility Act
8 of 2019”.

9 **SEC. 502. APPROPRIATE CONGRESSIONAL COMMITTEES**

10 **DEFINED.**

11 In this title:

12 (1) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES.—The term “appropriate congressional com-
14 mittees” means—

15 (A) the Committee on Foreign Relations
16 and the Committee on Appropriations of the
17 Senate; and

18 (B) the Committee on Foreign Affairs and
19 the Committee on Appropriations of the House
20 of Representatives.

21 (2) RELEVANT FEDERAL DEPARTMENT OR
22 AGENCY.—The term “relevant Federal department
23 or agency” means the Department of State, the
24 United States Agency for International Develop-
25 ment, the Department of Defense, the Department

1 of Treasury, and any other Federal department or
2 agency the President determines is relevant to carry
3 out the purposes of this title.

4 **SEC. 503. STATEMENT OF POLICY.**

5 It is the policy of the United States to seek to sta-
6 bilize conflict-affected areas and prevent violence and fra-
7 gility globally, including by—

8 (1) ensuring that all relevant Federal depart-
9 ments and agencies coordinate to achieve coherent,
10 long-term goals for programs designed to carry out
11 such policy;

12 (2) seeking to improve global, regional, and
13 local coordination of relevant international and mul-
14 tilateral development and donor organizations re-
15 garding efforts to carry out such policy; and

16 (3) enhancing the effectiveness of United States
17 foreign assistance programs and activities to carry
18 out such policy, including by improving assessment,
19 monitoring, and evaluation conducted by the rel-
20 evant Federal departments and agencies.

21 **SEC. 504. GLOBAL FRAGILITY STRATEGY.**

22 (a) STRATEGY.—The President, in coordination with
23 the Secretary of State, the Administrator of the United
24 States Agency for International Development (“USAID”),
25 the Secretary of Defense, and the heads of other relevant

1 Federal departments and agencies, shall establish a com-
2 prehensive, integrated, ten-year strategy, to be referred to
3 as the “Global Fragility Strategy”, to contribute to the
4 stabilization of conflict-affected areas, address global fra-
5 gility, and strengthen the capacity of the United States
6 to be an effective leader of international efforts to prevent
7 extremism and violent conflict. The strategy shall focus
8 on addressing long-term causes of fragility and violence,
9 and shall—

10 (1) consider the causes of fragility and violence
11 at both the local and national levels, the external ac-
12 tors that reinforce and exploit such conditions, and
13 successful prevention strategies and their key fea-
14 tures;

15 (2) include specific objectives and multisectoral
16 approaches to reduce fragility and the causes of vio-
17 lence, including those that strengthen state-society
18 relations, curb extremist ideology, and make society
19 less vulnerable to the spread of extremism and vio-
20 lence;

21 (3) encourage and empower local and national
22 actors to address the concerns of their citizens, in-
23 cluding those in vulnerable communities, and build
24 community resilience against violence and extre-
25 mism;

1 (4) address the long-term underlying causes of
2 fragility and violence through participatory, locally
3 led programs, empowering marginalized groups such
4 as youth and women, inclusive dialogues and conflict
5 resolutions processes, justice sector reform, good
6 governance, inclusive and accountable service deliv-
7 ery, and community policing and civilian security, in-
8 cluding by combatting impunity for security forces
9 implicated in violations of internationally recognized
10 human rights and other serious crimes;

11 (5) describe approaches that ensure national
12 leadership where appropriate and participatory en-
13 gagement by civil society and local partners in the
14 design, implementation, and monitoring of pro-
15 grams;

16 (6) assign roles for relevant Federal depart-
17 ments and agencies to avoid duplication of efforts,
18 while ensuring that—

19 (A) the Department of State is responsible
20 for leading the drafting and execution of the
21 strategy, establishing United States foreign pol-
22 icy, advancing diplomatic and political efforts,
23 and overseeing the planning and implementa-
24 tion of security assistance and related civilian
25 security efforts;

1 (B) USAID is responsible for overseeing
2 prevention programs, and is the lead imple-
3 menting agency for development, humanitarian,
4 and related non-security program policy;

5 (C) activities undertaken or supported by
6 the Department of Defense in relation to the
7 Global Fragility Strategy are established
8 through joint formulation and with the concu-
9 rence of the Secretary of State; and

10 (D) other relevant Federal departments
11 and agencies support the activities of the De-
12 partment of State and USAID as appropriate,
13 with the concurrence of the Secretary of State
14 and the Administrator of the United States
15 Agency for International Development;

16 (7) describe programs that relevant Federal de-
17 partments and agencies will undertake to achieve the
18 stated objectives, including descriptions of existing
19 programs and funding by fiscal year and account;

20 (8) identify mechanisms to improve coordina-
21 tion between the United States, foreign govern-
22 ments, and international organizations, including the
23 World Bank, the United Nations, regional organiza-
24 tions, and private sector organizations;

1 (9) address efforts to expand public-private
2 partnerships and leverage private sector resources;

3 (10) describe the criteria, metrics, and mecha-
4 nisms for monitoring and evaluation of programs
5 and objectives in the strategy to ensure planning,
6 implementation, and coordination are appropriately
7 executed and updated;

8 (11) describe how the strategy will ensure that
9 programs are country-led and context-specific; and

10 (12) identify mechanisms or activities to reduce
11 the risk that the programs, policies, or resources of
12 the United States and its partners will facilitate cor-
13 ruption, empower or abet repressive local actors, or
14 be exploited by extremists to gain support for their
15 cause.

16 (b) **STAKEHOLDER CONSULTATION.**—The Global
17 Fragility Strategy required under this section shall be de-
18 veloped in consultation with representatives of civil society
19 and national and local governance entities in countries and
20 regions described in section 505, as well as relevant inter-
21 national development organizations with experience imple-
22 menting programs in fragile states, multilateral organiza-
23 tions and donors, relevant private, academic, and philan-
24 thropic entities, and the appropriate congressional com-
25 mittees.

1 (c) REPORT.—Not later than 270 days after the date
2 of the enactment of this Act, the President shall submit
3 to the appropriate congressional committees a report set-
4 ting forth the strategy described in subsection (a), which
5 shall be submitted in unclassified form, but may include
6 a classified annex if necessary, and shall include, at a min-
7 imum, the following elements:

8 (1) The objectives, general and specific, of the
9 strategy.

10 (2) An identification of the relevant Federal de-
11 partments and agencies that will be involved and the
12 assignment of priorities to such departments and
13 agencies.

14 (3) A description of the compact-based partner-
15 ships that will be established to ensure local leader-
16 ship of strategies, policy, and programs, as well as
17 mutual accountability for results and resources need-
18 ed to support such partnerships.

19 (4) An identification of the authorities, staffing,
20 and other requirements, as necessary and appro-
21 priate, needed to effectively implement the Global
22 Fragility Strategy.

23 (5) A description of the ways in which United
24 States leadership will be used to enhance overall
25 international prevention efforts, including through

1 increasing the engagement of the member states of
2 the Group of Seven and Group of Twenty.

3 (6) An identification of which officials of the
4 Department of State, USAID, and the Department
5 of Defense, with a rank not lower than Assistant
6 Secretary or Assistant Administrator, will be respon-
7 sible for leading and overseeing the strategy.

8 (7) A list of priority countries and regions se-
9 lected pursuant to section 505, including descrip-
10 tions of the rationale for such selections.

11 **SEC. 505. SELECTION OF PRIORITY COUNTRIES AND RE-**
12 **GIONS.**

13 (a) IN GENERAL.—The President, in coordination
14 with the Secretary of State, the Administrator of the
15 United States Agency for International Development, and
16 the Secretary of Defense, and in consultation with the ap-
17 propriate congressional committees specified in subsection
18 (b), shall select certain countries as “priority countries”
19 and certain regions as “priority regions” for the purpose
20 of implementing the Global Fragility Strategy required
21 under section 504—

22 (1) on the basis of—

23 (A) the national security interests of the
24 United States;

1 (B) clearly defined indicators of the levels
2 of violence or fragility in such country or re-
3 gion, such as the country's or region's—

4 (i) ranking on recognized global fra-
5 gility lists, such as the Organization for
6 Economic Co-operation and Development
7 States of Fragility report, the Fund for
8 Peace Fragile States Index, the World
9 Bank Harmonized List of Fragile Situa-
10 tions, the Institute for Economics and
11 Peace Global Peace Index, and the Holo-
12 caust Museum Early Warning Project Risk
13 Assessment;

14 (ii) ranking on select United States
15 Government conflict and atrocity early
16 warning watch lists;

17 (iii) levels of violence, including vio-
18 lence committed by armed groups, state
19 actors, and violent extremist organizations,
20 gender-based violence, and violence against
21 children and youth; and

22 (iv) vulnerability to rising sea levels,
23 flooding, drought, wildfires, desertification,
24 deforestation, food insecurity, and human
25 displacement; and

1 (C) an assessment of—

2 (i) the commitment and capacity of
3 national and sub-national government enti-
4 ties and civil society partners in such coun-
5 try or region to work with relevant Federal
6 departments and agencies on the Global
7 Fragility Strategy, including by dem-
8 onstrating commitment to—

9 (I) improving inclusive, trans-
10 parent, and accountable power struc-
11 tures, including effective, legitimate,
12 and resilient national and sub-national
13 institutions; and

14 (II) ensuring strong foundations
15 for human rights, rule of law, and
16 equal access to justice; and

17 (ii) the likelihood that United States
18 assistance under the Global Fragility
19 Strategy would measurably help to reduce
20 fragility, prevent the spread of extremism
21 and violence, and stabilize conflict-affected
22 areas in each such country or region; and

23 (2) in a manner that ensures that not fewer
24 than five countries or regions are selected, including
25 not fewer than two in which the priority will be pre-

1 venting violent conflict and fragility, rather than sta-
2 bilizing ongoing conflicts.

3 (b) CONSULTATION WITH CONGRESS.—Prior to fi-
4 nalization of the selection of priority countries and regions
5 under subsection (a), representatives from the Depart-
6 ment of State, USAID, the Department of Defense, and
7 other relevant Federal departments and agencies, as nec-
8 essary and appropriate, shall brief the appropriate con-
9 gressional committees on the countries and regions being
10 considered and shall consider congressional input on such
11 prioritization.

12 **SEC. 506. PRIORITY COUNTRY AND REGIONAL PLANS.**

13 Not later than one year after the date of the enact-
14 ment of this Act, the President, in coordination with the
15 Secretary of State, the Administrator of the United States
16 Agency for International Development, the Secretary of
17 Defense, and the heads of other relevant Federal depart-
18 ments and agencies, shall submit to the appropriate con-
19 gressional committees ten-year plans to align and inte-
20 grate under the Global Fragility Strategy established pur-
21 suant to section 504 all relevant diplomatic, development,
22 and security assistance and activities of the United States
23 Government with respect to each of the countries and re-
24 gions selected pursuant to section 505. Each such country
25 and regional plan shall include the following elements:

1 (1) Specific multi-year interagency plans for co-
2 ordination and implementation under each such
3 plan.

4 (2) An up-to-date baseline analysis for each
5 such country or region, including an analysis of the
6 conditions that contribute to violence and fragility.

7 (3) Prioritized descriptions of the goals and ob-
8 jectives for stabilizing conflict-affected areas, reduc-
9 ing fragility, and preventing the spread of extremism
10 and violence in each such country.

11 (4) Descriptions of how and when the relevant
12 goals, objectives, plans, and benchmarks for each
13 such country or region will be incorporated into rel-
14 evant United States country or regional plans and
15 strategies, including the National Security Strategy
16 of the United States, the Stabilization Assistance
17 Review, Department of State Integrated Country
18 Strategies, USAID Country Development Coopera-
19 tion Strategies, and Department of Defense Cam-
20 paign Plans, Operational Plans, and Regional Strat-
21 egies, as well as any equivalent or successor plans or
22 strategies.

23 (5) Interagency plans to ensure that appro-
24 priate local actors, including government and civil
25 society entities, have an appropriate ownership stake

1 in developing, implementing, monitoring, and evalu-
2 ating relevant activities under each such plan.

3 (6) Interagency plans to integrate existing and
4 planned security assistance and cooperation pro-
5 grams in each such country or region with the strat-
6 egy, and to mitigate risks associated with such pro-
7 grams, including risks related to corruption, govern-
8 ance, and human rights.

9 (7) Assessment, monitoring, and evaluation
10 frameworks for diplomatic, development, and secu-
11 rity assistance and activities, which shall be in-
12 formed by consultations with the stakeholders speci-
13 fied in section 504(b), with clear metrics for each
14 such country or region, as well as interagency plans
15 for using such frameworks to adapt such activities
16 on a regular basis.

17 (8) Descriptions of available policy tools and
18 how such tools will be used to reduce fragility, pre-
19 vent the spread of extremism and violence, and sta-
20 bilize conflict-affected areas in each such country or
21 region.

22 (9) A description of how planning and imple-
23 mentation of assistance under the Global Fragility
24 Strategy for each such country or region will be co-
25 ordinated in a manner that strengthens partnerships

1 and leverages the unique expertise and resources of
2 the United States Government and—

3 (A) governments of such countries;

4 (B) international development organiza-
5 tions;

6 (C) relevant international donors;

7 (D) multilateral organizations; and

8 (E) the private sector.

9 (10) A regional component outlining plans to
10 address relevant transnational issues and how each
11 such country is affected by or at risk of regional fra-
12 gility or violence.

13 (11) When a region is selected, a component
14 outlining plans to address factors at the individual
15 country level that affect regional fragility or vio-
16 lence.

17 **SEC. 507. IMPLEMENTATION.**

18 The President, in coordination with the Secretary of
19 State, the Administrator of the United States Agency for
20 International Development, the Secretary of Defense, the
21 heads of other relevant Federal departments and agencies,
22 relevant United States ambassadors, USAID mission di-
23 rectors, geographic combatant commanders, and other rel-
24 evant individuals with responsibility over activities in each

1 priority country or region selected pursuant to section
2 505, shall ensure that—

3 (1) the Global Fragility Strategy required
4 under section 504, including each of the country
5 plans developed under section 506, is implemented,
6 updated, and coordinated on a regular basis; and

7 (2) the strategy is used to guide United States
8 Government policy at a senior level and incorporated
9 into relevant strategies and plans across the United
10 States Government such that the activities of all rel-
11 evant Federal departments and agencies are con-
12 sistent with the strategy.

13 **SEC. 508. BIENNIAL REPORTS AND CONGRESSIONAL CON-**
14 **SULTATION.**

15 (a) BIENNIAL REPORTS.—Not later than two years
16 after the submission of the plans required in section 506,
17 and every two years thereafter until the date that is ten
18 years after the date of submission of such plans, the Presi-
19 dent, the Secretary of State, the Administrator of the
20 United States Agency for International Development, the
21 Secretary of Defense, and the heads of other relevant Fed-
22 eral departments and agencies shall jointly submit to the
23 appropriate congressional committees an unclassified re-
24 port, which may include a classified annex, on progress
25 made and lessons learned with respect to implementation

1 of the Global Fragility Strategy established pursuant to
2 section 504. The report shall include the following ele-
3 ments:

4 (1) Descriptions of steps taken to incorporate
5 the strategy into any relevant, existing country and
6 regional plans or strategies.

7 (2) Accountings of all funding received and ob-
8 ligated to implement each such country and regional
9 plan during the previous two years, and, to the ex-
10 tent feasible, projections of funding to be requested,
11 planned, and implemented for the following two
12 years.

13 (3) Descriptions of progress made towards
14 achieving specific targets, metrics, and indicators for
15 each priority country and region.

16 (4) Descriptions of any changes made to pro-
17 grams based on the results of assessment, moni-
18 toring, and evaluation for each priority country and
19 region.

20 (b) CONGRESSIONAL CONSULTATION.—The Sec-
21 retary of State, the Administrator of the United States
22 Agency for International Development, and the Secretary
23 of Defense shall provide to any appropriate congressional
24 committee briefings on the implementation of this title
25 upon the request of any such committee.

1 **SEC. 509. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) PREVENTION AND STABILIZATION FUND.—

3 (1) ESTABLISHMENT.—There is established in
4 the Treasury of the United States a fund, which
5 shall be known as the “Prevention and Stabilization
6 Fund” (in this subsection referred to as “The
7 Fund”), to be administered by the Department of
8 State and USAID, as appropriate, to support sta-
9 bilization of conflict-affected areas and to mitigate
10 fragility, including through the Global Fragility
11 Strategy established pursuant to section 504, which
12 shall replace the Relief and Recovery Fund.

13 (2) AUTHORIZATION OF APPROPRIATIONS.—

14 There is authorized to be appropriated to the Fund
15 \$200,000,000 for each of the fiscal years 2020
16 through 2024.

17 (3) PURPOSES OF THE FUND.—

18 (A) IN GENERAL.—Amounts authorized to
19 be appropriated to the Fund shall be used—

20 (i) to support stabilization of conflict-
21 affected areas and prevent global fragility,
22 including through the Global Fragility
23 Strategy established pursuant to section
24 504; and

25 (ii) to provide assistance to areas lib-
26 erated or at risk from, or under the control

1 of, the Islamic State of Iraq and Syria,
2 other terrorist organizations, or violent ex-
3 tremist organizations, including for sta-
4 bilization assistance for vulnerable ethnic
5 and religious minority communities af-
6 fected by conflict.

7 (B) AMOUNTS IN ADDITION.—Amounts au-
8 thorized to be appropriated to the Fund under
9 this section are in addition to any funds other-
10 wise made available for the purposes described
11 in paragraph (1).

12 (4) CONGRESSIONAL NOTIFICATION.—Funds
13 may not be obligated under this section unless the
14 congressional committees specified in section 634A
15 of the Foreign Assistance Act of 1961 (22 U.S.C.
16 2394–1) are notified of the amount and nature of
17 such proposed obligation at least 15 days in advance
18 of such proposed obligation, in accordance with the
19 procedures applicable to notifications regarding
20 reprogrammings pursuant to such section.

21 (b) COMPLEX CRISIS FUND.—

22 (1) ESTABLISHMENT.—There is established in
23 the Treasury of the United States a fund, which
24 shall be known as the “Complex Crises Fund” (in
25 this subsection referred to as the “Fund”), to be ad-

1 ministered by USAID, to support programs and ac-
2 tivities to prevent or respond to emerging or unfore-
3 seen events overseas, including to support the Global
4 Fragility Strategy established pursuant to section
5 504.

6 (2) AUTHORIZATION OF APPROPRIATIONS.—
7 There is authorized to be appropriated to the Fund
8 \$30,000,000 for each of the fiscal years 2020
9 through 2024, which shall remain available until ex-
10 pended.

11 (3) PURPOSES OF THE FUND.—

12 (A) IN GENERAL.—Notwithstanding any
13 other provision of law, except section 620M of
14 the Foreign Assistance Act of 1961 (22 U.S.C.
15 2378d), amounts in the Fund may be used to
16 carry out the provisions of the Foreign Assist-
17 ance Act of 1961 (22 U.S.C. 2151 et seq.) to
18 support programs and activities to prevent or
19 respond to emerging or unforeseen foreign chal-
20 lenges and complex crises overseas, including
21 through the Global Fragility Strategy estab-
22 lished pursuant to section 504.

23 (B) AMOUNTS IN ADDITION.—Amounts au-
24 thorized to be appropriated to the Fund are in
25 addition to any amounts otherwise made avail-

1 able for the purposes described in subparagraph
2 (A).

3 (4) LIMITATIONS.—

4 (A) IN GENERAL.—Amounts in the Fund
5 may not be expended for lethal assistance or to
6 respond to natural disasters.

7 (B) ADMINISTRATIVE EXPENSES.—Not
8 more than five percent of the amounts in the
9 Fund may be used for administrative expenses.

10 (5) CONGRESSIONAL NOTIFICATION.—The
11 United States Agency for International Development
12 shall notify the appropriate congressional committees
13 not less than five days prior to the obligation of
14 amounts in the Fund.

15 (6) WAIVER.—The notification requirement
16 under paragraph (5) may be waived if—

17 (A) notification by the deadline specified in
18 such paragraph would pose a substantial risk to
19 human health or welfare; and

20 (B) the appropriate congressional commit-
21 tees—

22 (i) are notified as early as practicable
23 but in no event later than three days after
24 an obligation of amounts from the Fund;
25 and

1 (ii) are provided with an explanation
2 of the emergency circumstances that neces-
3 sitated such waiver.

4 **SEC. 510. IMPROVING AND LEVERAGING ASSISTANCE FOR**
5 **THE GLOBAL FRAGILITY STRATEGY.**

6 (a) SENSE OF CONGRESS.—It is the sense of Con-
7 gress that the President, the Secretary of State, the Ad-
8 ministrator of the United States Agency for International
9 Development, the Secretary of Defense, and the heads of
10 other relevant Federal departments and agencies should—

11 (1) develop more adaptive and responsive policy
12 and program planning, implementation, and scaling
13 under the Global Fragility Strategy established pur-
14 suant to section 504, and work with the appropriate
15 congressional committees to identify any legislative
16 changes that may be necessary to support such ef-
17 forts;

18 (2) better integrate the strategy and other con-
19 flict and violence reduction objectives and activities
20 into other policy and program areas, where appro-
21 priate; and

22 (3) support transparent and accountable multi-
23 lateral funds, initiatives, and strategies to enhance
24 and better coordinate private and public efforts to

1 stabilize conflict-affected areas and prevent violence
2 and fragility globally.

3 (b) OTHER FUNDING AND COST MATCHING.—The
4 Global Fragility Strategy established pursuant to section
5 504—

6 (1) may, after consultation with the appropriate
7 congressional committees, be supported with funds
8 other than funds authorized to be appropriated pur-
9 suant to section 509; and

10 (2) shall seek to leverage funds from sources
11 other than the United States Government in order
12 to promote coordination and cost-matching to the
13 maximum extent practicable.

14 (c) MULTI-DONOR GLOBAL FRAGILITY FUND.—

15 (1) AUTHORITY.—Pursuant to sections 607 and
16 632 of the Foreign Assistance Act of 1961 (22
17 U.S.C. 2357 and 2392), and consistent with sub-
18 section (b), and after consultation with the appro-
19 priate congressional committees, the Secretary of
20 State is authorized to establish funding mechanisms,
21 to include the establishment of a Global Fragility
22 Fund, to leverage, receive, coordinate, and program
23 funds provided by other donors and private sector
24 partners to carry out the purposes of this title.

1 (2) PURPOSES.—A funding mechanism estab-
2 lished pursuant to paragraph (1) should—

3 (A) include input from and participation
4 by key bilateral and multilateral donors, rep-
5 resentatives of civil society, relevant nongovern-
6 mental organizations and private sector entities,
7 and developing countries where fragility threat-
8 ens to exacerbate violent extremism and under-
9 mine development;

10 (B) enhance donor coordination and co-
11 operation;

12 (C) advance clearly defined goals, objec-
13 tives, and metrics for monitoring, evaluating,
14 and measuring progress; and

15 (D) focus on strengthening national and
16 local good governance and conflict resolution
17 capacity in fragile and conflict-affected areas
18 over the long-term through comprehensive, com-
19 pact-based agreements that support country-led
20 strategies.

21 (3) CONGRESSIONAL NOTIFICATION.—Funds
22 may not be obligated under this section except in
23 consultation with the appropriate congressional com-
24 mittees and subject to the notification of such com-
25 mittees of the amount and proposed uses of such

1 funds at least 15 days in advance of such proposed
2 obligation.

3 **SEC. 511. RULE OF CONSTRUCTION.**

4 Nothing in this title shall be construed as a declara-
5 tion of war or an authorization for the use of military
6 force.

7 **TITLE VI—COMBATING**
8 **WILDLIFE TRAFFICKING**

9 **SEC. 601. SHORT TITLE.**

10 This title may be cited as the “Rescuing Animals
11 With Rewards Act of 2019” or the “RAWR Act”.

12 **SEC. 602. FINDINGS; SENSE OF CONGRESS.**

13 (a) FINDINGS.—Congress finds the following:

14 (1) Wildlife trafficking is a major transnational
15 crime that is estimated to generate over \$10 billion
16 a year in illegal profits and which is increasingly
17 perpetrated by organized, sophisticated criminal en-
18 terprises, including known terrorist organizations.

19 (2) Wildlife trafficking not only threatens en-
20 dangered species worldwide, but also jeopardizes
21 local security, spreads disease, undermines rule of
22 law, fuels corruption, and damages economic devel-
23 opment.

1 (3) Combating wildlife trafficking requires a co-
2 ordinated and sustained approach at the global, re-
3 gional, national, and local levels.

4 (4) Congress stated in the Eliminate, Neu-
5 tralize, and Disrupt Wildlife Trafficking Act of 2016
6 that it is the policy of the United States to take im-
7 mediate actions to stop the illegal global trade in
8 wildlife and wildlife products and associated transna-
9 tional organized crime.

10 (b) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the Department of State’s rewards program is
12 a powerful tool in combating sophisticated international
13 crime and that the Department of State and Federal law
14 enforcement should work in concert to offer rewards that
15 target wildlife traffickers.

16 **SEC. 603. WILDLIFE TRAFFICKING PREVENTION AWARDS**
17 **PROGRAM.**

18 Subparagraph (B) of section 36(k)(5) of the State
19 Department Basic Authorities Act of 1956 (22 U.S.C.
20 2708(k)(5)) is amended by inserting “wildlife trafficking
21 (as defined by section 2(12) of the Eliminate, Neutralize,
22 and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C.
23 7601(12); Public Law 114–231)) and” after “includes”.

1 **TITLE** **VII—CHAMPIONING**
2 **AMERICAN** **BUSINESS**
3 **THROUGH DIPLOMACY**

4 **SEC. 701. SHORT TITLE.**

5 This title may be cited as the “Championing Amer-
6 ican Business Through Diplomacy Act of 2019”.

7 **SEC. 702. FINDINGS.**

8 Congress makes the following findings:

9 (1) According to the 2017 National Security
10 Strategy of the United States of America, “Retain-
11 ing our position as the world’s preeminent economic
12 actor strengthens our ability to use the tools of eco-
13 nomic diplomacy for the good of Americans and oth-
14 ers.”.

15 (2) A November 7, 2018, cable from Secretary
16 of State Michael R. Pompeo to all diplomatic and
17 consular posts—“Boosting Commercial Diplomacy
18 Around the World”—stated that “helping American
19 companies is a foreign policy priority. . .Promoting
20 broad-based, responsible, and sustainable economic
21 growth helps to stabilize regions and creates new
22 and growing markets for U.S. companies. A trans-
23 parent and level playing field for U.S. investment in
24 these countries counters real and growing challenges
25 such as China’s Belt and Road initiative.”.

1 (3) In the January–February 2019 issue of The
2 Foreign Service Journal, Ambassador Barbara Ste-
3 phenson, the President of the American Foreign
4 Service Association, wrote, “Foreign Service support
5 for American business. . . is a major reason why the
6 U.S. Foreign Service was created.”.

7 **SEC. 703. ECONOMIC DIPLOMACY WITHIN THE DEPART-**
8 **MENT OF STATE.**

9 Subsection (c) of section 1 of the State Department
10 Basic Authorities Act of 1956 (22 U.S.C. 2651a) is
11 amended—

12 (1) by redesignating paragraph (3) as para-
13 graph (4); and

14 (2) by inserting after paragraph (2) the fol-
15 lowing new paragraph:

16 “(3) ASSISTANT SECRETARY FOR ECONOMIC
17 AND BUSINESS MATTERS.—

18 “(A) IN GENERAL.—Subject to the numer-
19 ical limitation specified in paragraph (1), there
20 is authorized to be established in the Depart-
21 ment of State an Assistant Secretary of State
22 who shall be responsible to the Secretary of
23 State for matters pertaining to international ec-
24 onomics and business matters in the conduct of
25 foreign policy.

1 “(B) MATTERS CONTEMPLATED.—The
2 matters referred to in subparagraph (A) include
3 the following:

4 “(i) International trade and invest-
5 ment policy.

6 “(ii) International finance, economic
7 development, and debt policy.

8 “(iii) Economic sanctions and com-
9 bating terrorist financing.

10 “(iv) International transportation pol-
11 icy.

12 “(v) Support for United States busi-
13 nesses.

14 “(vi) Economic policy analysis and
15 private sector outreach.

16 “(vii) International data privacy and
17 innovation policies.

18 “(viii) Such other related duties as
19 the Secretary may from time to time des-
20 ignate.”.

21 **SEC. 704. CHIEF OF MISSION RESPONSIBILITIES.**

22 Section 207 of the Foreign Service Act of 1980 (22
23 U.S.C. 3927) is amended by adding at the end the fol-
24 lowing new subsection:

1 “(d) PROMOTION OF UNITED STATES ECONOMIC IN-
2 TERESTS.—Each chief of mission to a foreign country
3 shall have as a principal duty the promotion of United
4 States economic and commercial interests in such coun-
5 try.”.

6 **SEC. 705. INCREASED TRAINING IN ECONOMIC AND COM-**
7 **MERCIAL DIPLOMACY.**

8 Section 708 of the Foreign Service Act of 1980 (22
9 U.S.C. 4028) is amended by adding at the end the fol-
10 lowing new subsection:

11 “(d) ECONOMIC AND COMMERCIAL DIPLOMACY.—
12 The Secretary of State, with the assistance of other rel-
13 evant officials and the private sector, shall establish as
14 part of the standard training provided for economic and
15 commercial officers of the Foreign Service, chiefs of mis-
16 sion, and deputy chiefs of mission, training on matters re-
17 lated to economic and commercial diplomacy, with par-
18 ticular attention to market access and other elements of
19 an enabling framework for United States businesses, com-
20 mercial advocacy, and United States foreign economic pol-
21 icy, in addition to awareness about the support of the
22 United States Government available to United States busi-
23 nesses, including support provided by the Department of
24 Agriculture, the Department of Commerce, the Export-
25 Import Bank of the United States, the Millennium Chal-

1 lence Corporation, the Trade and Development Agency,
2 the Department of the Treasury, the United States Agen-
3 cy for International Development, and the United States
4 International Development Finance Corporation.”.

5 **SEC. 706. REPORT FROM EACH MISSION ON MATTERS OF**
6 **COMMERCIAL RELATIONS.**

7 (a) IN GENERAL.—Not later than 1 year after the
8 date of the enactment of this Act and annually thereafter,
9 the chief of mission at each bilateral diplomatic mission
10 of the United States and the Director of the American
11 Institute in Taiwan shall submit to the Secretary of State
12 mission plans that include the following:

13 (1) Data and other information regarding ac-
14 tions taken by each such mission or Institute during
15 the previous year to foster commercial relations and
16 safeguard United States economic and business in-
17 terests in the country or region in which each such
18 chief of mission and the Director serves.

19 (2) Each such mission’s and Institute’s antici-
20 pated economic and commercial priorities for the
21 coming year.

22 (b) REPORT TO CONGRESS.—The Secretary of State,
23 after receiving the information required under subsection
24 (a), shall submit to the Committee on Foreign Affairs of
25 the House of Representatives and the Committee on For-

1 eign Relations of the Senate a report, disaggregated by
2 country or region, on activities and initiatives, including
3 with appropriate examples, to create an enabling environ-
4 ment and otherwise promote United States economic and
5 business interests in each such country or region, as well
6 as information about significant foreign competition to
7 United States businesses in the relevant country or region,
8 including state-directed investments by foreign govern-
9 ments and United States strategic competitors in such
10 country or region.

11 **SEC. 707. CONSOLIDATED REPORT ON UNIFIED INVEST-**
12 **MENT CLIMATE STATEMENT AND COUNTRY**
13 **COMMERCIAL GUIDE.**

14 (a) **IN GENERAL.**—The Secretary of State and the
15 Secretary of Commerce shall jointly produce and make
16 publicly available on a United States Government internet
17 website an annual country- and region-specific report re-
18 garding commercial relations with foreign countries and
19 regions and safeguarding United States economic and
20 business interests abroad, including with regard to United
21 States exports and investments, including by small- and
22 medium-size enterprises.

23 (b) **MATTERS TO BE INCLUDED.**—Each report re-
24 quired under subsection (a) shall include the following

1 with respect to each country or region covered by each
2 such report:

3 (1) Information about doing business in each
4 country or region.

5 (2) Background information about each coun-
6 try's or region's political environment.

7 (3) Information about selling United States
8 products and services in each country or region.

9 (4) Leading sectors for United States exports
10 and investment in each country or region.

11 (5) Information about trade regulations, cus-
12 toms, and standards in each country or region, such
13 as—

14 (A) information on import tariffs; and

15 (B) documentation about which United
16 States businesses should be aware when export-
17 ing, including any prohibited items or tem-
18 porary entry procedures.

19 (6) Investment climate statements describing
20 each country's or region's openness to foreign invest-
21 ments, such as information relating to each coun-
22 try's or region's—

23 (A) investment policies;

24 (B) market barriers;

25 (C) business risks;

1 (D) legal and regulatory system, including
2 dispute resolution;

3 (E) level of public and private sector cor-
4 ruption;

5 (F) level of political violence and insta-
6 bility;

7 (G) adherence to internationally recognized
8 core labor standards; and

9 (H) protection of property rights.

10 (7) Information about trade and project financ-
11 ing in each country or region, such as each country's
12 or region's—

13 (A) banking and financial system, and how
14 United States businesses typically get paid;

15 (B) foreign exchange controls; and

16 (C) important sources of funding for
17 project financing.

18 (8) Relevant business travel information and
19 business customs in each country or region.

20 (9) Information about services and personnel of
21 the diplomatic mission of the United States available
22 to United States businesses to support their activi-
23 ties in each country or region.

1 (10) Any significant trade or commercial agree-
2 ment that exists between the United States and each
3 country or region.

4 (11) A point of contact at the diplomatic or
5 consular mission of the United States in each coun-
6 try or region for United States businesses.

7 (c) **RULE OF CONSTRUCTION.**—Nothing in this sec-
8 tion may be construed to require the duplication of exist-
9 ing reports.

10 **SEC. 708. WHOLE-OF-GOVERNMENT COORDINATION AND**
11 **CONSULTATION TO SUPPORT UNITED STATES**
12 **ECONOMIC AND BUSINESS INTERESTS.**

13 (a) **IN GENERAL.**—The Secretary of State, in con-
14 sultation with the Administrator of the United States
15 Agency for International Development, the Secretary of
16 Commerce, the Secretary of the Treasury, and the United
17 States Trade Representative, shall have primary responsi-
18 bility for coordinating a whole-of-government effort to ex-
19 pand United States efforts in supporting United States
20 economic and business interests abroad. The Secretary
21 may delegate responsibilities under this Act to a senior,
22 Senate-confirmed Department of State official.

23 (b) **RESPONSIBILITIES.**—The Secretary shall—

24 (1) chair the interagency coordinating com-
25 mittee established under subsection (c);

1 (2) develop and implement the joint strategic
2 plan required under subsection (c)(4) for all United
3 States trade-related and trade capacity building and
4 related technical assistance programs, in consulta-
5 tion with the coordinating committee established
6 under subsection (c);

7 (3) advise the Federal departments and agen-
8 cies designated by the President to participate in the
9 interagency coordinating committee under this sec-
10 tion in identifying the most needed and effective
11 ways for United States diplomatic and consular
12 posts and the departments and agencies that staff
13 such posts to support the expansion of United States
14 trade relations with host governments;

15 (4) consult with the private sector in the devel-
16 opment of government-wide trade expansion efforts,
17 including establishing a point of contact and lead of-
18 fice within the Department of State to receive pri-
19 vate-sector recommendations and comments con-
20 cerning trade capacity assistance, coordination, con-
21 sultations, and country-specific issues;

22 (5) consult with the Office of Management and
23 Budget regarding the administrative and human re-
24 sources needs that may be required to implement the
25 provisions of this title; and

1 (6) brief Congress on trade capacity building
2 programs and make recommendations, as appro-
3 priate, to Congress for improvements in trade capac-
4 ity building efforts.

5 (c) ECONOMIC DIPLOMACY ACTION GROUP.—

6 (1) ESTABLISHMENT.—The President shall es-
7 tablish an interagency coordinating committee, to be
8 known as the “Economic Diplomacy Action Group”,
9 to coordinate and carry out the purposes of this sec-
10 tion.

11 (2) LEADERSHIP.—The Group shall be chaired
12 by the Secretary of State and the vice-chairs shall
13 be the United States Trade Representative and the
14 Secretary of Commerce. The Secretaries and the
15 United States Trade Representative may delegate
16 responsibilities under this Act to appropriate, senior,
17 Senate-confirmed officials.

18 (3) MEMBERSHIP.—The President may appoint
19 to the Group senior officials from the United States
20 Agency for International Development, the Depart-
21 ment of Agriculture, the Department of the Treas-
22 ury, the Export-Import Bank, the United States De-
23 velopment Finance Corporation, and any such other
24 relevant executive branch department or agency as
25 the President determines to be substantially involved

1 in trade capacity building and related assistance ef-
2 forts in developing countries.

3 (4) DEVELOPMENT OF JOINT STRATEGIC
4 PLAN.—The Group shall develop a joint strategic
5 plan for all United States capacity building and
6 technical assistance programs.

7 (d) DIPLOMACY TRADE EXPANSION ADVISORY COM-
8 MITTEE.—

9 (1) ESTABLISHMENT OF TEAC.—The Chair and
10 Vice-Chairs of the Economic Diplomacy Action
11 Group shall establish a trade expansion advisory
12 committee with selected representatives of the
13 United States private sector and other organizations,
14 including labor organizations, with direct and rel-
15 evant operational experience in importing from and
16 exporting into developing countries, as appropriate,
17 to provide comment and advice on priorities for
18 trade expansion initiatives. The Chair and Vice-
19 Chairs of the Group may also appoint representa-
20 tives from select non-profit organizations to the ad-
21 visory committee if such representatives can dem-
22 onstrate both a presence in and relevant operational
23 or programmatic experience with trade capacity
24 building efforts in developing countries.

1 (2) MEETINGS.—The trade expansion advisory
2 committee shall convene at least twice annually or
3 more often as necessary at the call of the Chair and
4 Vice-Chairs of the Group.

5 (3) STRATEGIC PLANNING ADVICE.—The trade
6 expansion advisory committee shall advise the Chair
7 and Vice-Chairs of the Group on ways that embas-
8 sies can better support the United States private
9 sector abroad, including assisting the Chair and
10 Vice-Chairs—

11 (A) in soliciting private-sector advice;

12 (B) with respect to implementation of stra-
13 tegic planning; and

14 (C) in advancing the overall mission and
15 goals of United States national security.

16 **SEC. 709. PRIVATE SECTOR CONSULTATION AND COORDI-**
17 **NATION.**

18 (a) CONSULTATION WITH PRIVATE SECTOR BY EM-
19 BASSY.—In developing the priorities for trade expansion
20 initiatives described in section 708(d), embassy mission
21 teams shall convene local representatives of the United
22 States private sector and the private sector of host coun-
23 tries to consult on issues affecting trade at the borders
24 of such countries and take into account the private sec-
25 tor’s operational expertise and experience confronting the

1 trade barriers in such countries as well as its recommenda-
2 tions for reform and best practices.

3 (b) INCLUSION OF PRIVATE-SECTOR COMMENTS IN
4 MISSION PLANS.—Written comments from local United
5 States private sector representatives shall be included in
6 the trade expansion component of mission plans submitted
7 by the chief of mission to the Secretary of State, with rec-
8 ommendations and comments from the mission team, for
9 the purpose of informing the development of the joint stra-
10 tegic plan on trade expansion priorities required pursuant
11 to section 708(c)(4) and recommended funding for the im-
12 plementation of such plan.

13 (c) DESIGNATED EMBASSY POINT OF CONTACT FOR
14 PRIVATE SECTOR CONSULTATION.—Each chief of mission
15 shall designate an appropriate point of contact within the
16 embassy who shall receive recommendations from appro-
17 priate private sector representatives regarding the imple-
18 mentation of the strategic plan required under section
19 708(c)(4) and ongoing trade barriers negatively impacting
20 priority trade expansion. The chief of mission shall ensure
21 that the designated point of contact shall be reasonably
22 available for consultations with appropriate private sector
23 representatives and to receive recommendations with re-
24 spect to country-specific issues that may arise that will
25 foreseeably disrupt trade.

1 (d) REQUIREMENT TO PROTECT BUSINESS CON-
2 FIDENTIAL INFORMATION.—

3 (1) IN GENERAL.—The Secretary of State, Sec-
4 retary of Commerce, and United States Trade Rep-
5 resentative as well as the heads of all other agencies
6 involved in the Economic Diplomacy Action Group
7 established under section 708(c) shall protect from
8 disclosure any proprietary information submitted by
9 any private sector representative and marked as
10 “business confidential information”, unless the party
11 submitting the confidential business information had
12 notice, at the time of submission, that such informa-
13 tion would be released by the head of any such de-
14 partment or agency, or such party subsequently con-
15 sents to the release of the information. To the extent
16 business confidential information is provided, a non-
17 confidential version of the information shall also be
18 provided, in which the business confidential informa-
19 tion is summarized or, if necessary, deleted.

20 (2) TREATMENT AS TRADE SECRETS.—Propri-
21 etary information submitted by a private party in
22 accordance with this Act shall be considered to be a
23 matter falling within the meaning of trade secrets
24 and commercial or financial information exemption
25 under section 552(b)(4) of title 5, United States

1 Code, and shall be exempt from disclosure without
2 the express approval of the private party.

3 **SEC. 710. IMPROVING AWARENESS OF UNITED STATES GOV-**
4 **ERNMENT TOOLS AND SERVICES TO SUP-**
5 **PORT UNITED STATES BUSINESSES OVER-**
6 **SEAS.**

7 The Secretary of State and the Secretary of Com-
8 merce shall take actions to improve the awareness of
9 United States businesses with respect to United States
10 Government tools and services to assist such businesses
11 overseas, especially small and medium-sized enterprises,
12 including by coordinating with State trade agencies, Ex-
13 port Assistance Centers, and Small Businesses Develop-
14 ment Centers.

15 **SEC. 711. REPORT BY COMPTROLLER GENERAL OF THE**
16 **UNITED STATES.**

17 (a) IN GENERAL.—Not later than 2 years after the
18 date of the enactment of this Act, the Comptroller General
19 of the United States shall submit to the Committee on
20 Foreign Affairs of the House of Representatives and the
21 Committee on Foreign Relations of the Senate a report
22 on United States economic and commercial diplomacy.

23 (b) MATTERS TO BE INCLUDED.—The report re-
24 quired under subsection (a) shall include an assessment
25 of the following:

1 (1) What is known about the effectiveness of
2 United States economic and commercial diplomacy
3 in influencing foreign governments and supporting
4 United States businesses abroad.

5 (2) Coordination between the Department of
6 State and the Department of Commerce with respect
7 to United States economic and commercial diplo-
8 macy.

9 (3) The effectiveness of training provided pur-
10 suant to subsection (d) of section 708 of the Foreign
11 Service Act of 1980 (as added by section 705 of this
12 title) on matters relating to economic and commer-
13 cial diplomacy.

14 (4) The status and effectiveness of actions
15 taken by the Secretary of State under section 710
16 of this title regarding commercial relations with for-
17 eign countries and regions and safeguarding United
18 States economic and business interests abroad.

19 (5) The status of the U.S. Commercial Service
20 of the Department of Commerce and its effective-
21 ness in advancing the economic and business inter-
22 ests of the United States abroad.

23 (6) The status of the Foreign Service economics
24 officers and their effectiveness in advancing the eco-

1 nomic and business interests of the United States
2 abroad.

3 (7) Recommendations to improve United States
4 economic and commercial diplomacy.

5 **TITLE VIII—UNITED STATES**
6 **COMMISSION ON INTER-**
7 **NATIONAL RELIGIOUS FREE-**
8 **DOM REAUTHORIZATION**

9 **SEC. 801. SHORT TITLE.**

10 This title may be cited as the “United States Com-
11 mission on International Religious Freedom Reauthoriza-
12 tion Act of 2019”.

13 **SEC. 802. REAUTHORIZATION.**

14 Section 209 of the International Religious Freedom
15 Act of 1998 (22 U.S.C. 6436) is amended by striking
16 “2019” and inserting “2022”.

17 **SEC. 803. COMPOSITION OF COMMISSION.**

18 Section 201 of the International Religious Freedom
19 Act of 1998 (22 U.S.C. 6431) is amended—

20 (1) in subsection (b)(2)—

21 (A) by striking “(A) IN GENERAL.—”; and

22 (B) by striking subparagraph (B);

23 (2) by amending subsection (d) to read as fol-
24 lows:

1 “(d) ELECTION OF CHAIR AND VICE CHAIR.—At the
2 first meeting of the Commission after May 30 of each
3 year, a majority of the members of the Commission who
4 are present and voting shall elect a Chair and a Vice
5 Chair. The Vice Chair shall have been appointed by an
6 officeholder from a different political party than the office-
7 holder who appointed the member of the Commission who
8 was elected Chair. The positions of Chair and Vice Chair
9 shall be rotated annually between members who were ap-
10 pointed to the Commission by officeholders of different po-
11 litical parties.”;

12 (3) in subsection (f), by striking “Country Re-
13 port on Human Rights Practices” and inserting
14 “International Religious Freedom Report”; and

15 (4) by adding at the end the following:

16 “(j) REMOVAL.—If a payment is made under section
17 415(a) of the Congressional Accountability Act of 1995
18 (2 U.S.C. 1415(a)) for an award or settlement in connec-
19 tion with a claim alleging a violation of unlawful harass-
20 ment, intimidation, reprisal, or discrimination under the
21 Congressional Accountability Act of 1995 (2 U.S.C. 1301
22 et seq.) that was committed personally by an individual
23 who, at the time of committing the violation, was a Mem-
24 ber of the Commission, the Member shall be removed from
25 the Commission.”.

1 **SEC. 804. DUTIES AND POWERS OF THE COMMISSION.**

2 (a) DUTIES.—Section 202(e) of the International Re-
3 ligious Freedom Act of 1998 (22 U.S.C. 6432) is amend-
4 ed—

5 (1) by striking “The Commission” and insert-
6 ing the following:

7 “(1) IN GENERAL.—The Commission”; and

8 (2) by adding at the end the following:

9 “(2) TRACKING; REVIEW.—The Commission
10 shall regularly—

11 “(A) track the implementation by the
12 United States Government of the recommenda-
13 tions it makes under paragraph (1); and

14 “(B) review, to the extent practicable, the
15 effectiveness of such implemented recommenda-
16 tions in advancing religious freedom inter-
17 nationally.”.

18 (b) POWERS.—Section 203(e) of the International
19 Religious Freedom Act of 1998 (22 U.S.C. 6432a(e)) is
20 amended by adding at the end the following: “If a Member
21 of the Commission is invited to speak at an event in his
22 or her capacity as a Commissioner, the Member shall pro-
23 vide notice of the request to all Commissioners and the
24 Executive Director as soon as the Commissioner becomes
25 aware of such invitation. Speeches and responses to ques-
26 tions at official events shall reflect the views of the Com-

1 mission. Official speeches and other prepared materials
2 shall be made available to all Commissioners in advance
3 of the event. If a Commissioner is speaking in his or her
4 private capacity, he or she shall include qualifying lan-
5 guage that the views they are representing are his or her
6 own views and not the views of the Commission.”.

7 **SEC. 805. COMMISSION PERSONNEL MATTERS.**

8 (a) IN GENERAL.—Section 204 of the International
9 Religious Freedom Act of 1998 (22 U.S.C. 6432b) is
10 amended—

11 (1) in subsection (b)—

12 (A) by striking “fix the compensation of
13 the Executive Director and other personnel”
14 and inserting “provide reasonable compensation
15 to the Executive Director”;

16 (B) by striking “and other personnel may
17 not exceed the rate payable for level V of the
18 Executive Schedule under section 5316” and in-
19 serting “may not exceed the rate payable under
20 level II of the Executive Schedule under section
21 5313”; and

22 (C) by adding at the end the following:
23 “The rate of pay for other personnel of the
24 Commission may not exceed the rate payable
25 for level IV of the Executive Schedule under

1 section 5315 of such title. All employees of the
2 Commission shall otherwise be treated as em-
3 ployees whose pay is disbursed by the Secretary
4 of the Senate, including for purposes of apply-
5 ing the Standing Rules of the Senate. The
6 Commission shall be treated as an employing
7 office of the Senate.”;

8 (2) in subsection (f), by striking “the commis-
9 sion, for the executive director” and inserting “the
10 Commission, for the Executive Director”; and

11 (3) by striking subsection (g).

12 (b) COVERAGE OF COMMISSION EMPLOYEES.—Sec-
13 tion 101(b) of the Congressional Accountability Act (2
14 U.S.C. 1301(b)) is amended—

15 (1) in paragraph (1), by inserting “the United
16 States Commission on International Religious Free-
17 dom,” after “With respect to”;

18 (2) in paragraph (2)—

19 (A) by redesignating subparagraphs (A)
20 and (B) as clauses (i) and (ii), respectively;

21 (B) by inserting “(A)” before “Subject to
22 paragraph (3),”; and

23 (C) by adding at the end the following:

24 “(B) Legal assistance and representation
25 under this chapter, including assistance and

1 representation with respect to the proposal or
2 acceptance of the disposition of a claim under
3 this chapter, shall be provided to the United
4 States Commission on International Religious
5 Freedom by the Office of Senate Chief Counsel
6 for Employment of the Senate, in the case of
7 assistance and representation in connection
8 with a claim filed under subchapter IV (includ-
9 ing all subsequent proceedings under such sub-
10 chapter in connection with such claim).”; and

11 (3) in paragraph (3)—

12 (A) in subparagraph (B), by striking
13 “and” at the end;

14 (B) in subparagraph (C), by striking the
15 period at the end and inserting “; and”; and

16 (C) by adding at the end the following:

17 “(D) the term ‘United States Commission
18 on International Religious Freedom’ means the
19 Commission established under section 201 of
20 the International Religious Freedom Act of
21 1998 (22 U.S.C. 6431 et seq.).”.

22 **SEC. 806. COMMISSION TRAVEL AND ANNUAL DISCLO-**
23 **SURES.**

24 (a) **DUTIES.**—Section 201(i) of the International Re-
25 ligious Freedom Act of 1998 (22 U.S.C. 6431(i)) is

1 amended by striking “are subject to” and inserting “shall
2 comply with”.

3 (b) POWERS.—Section 203(f) of the International
4 Religious Freedom Act of 1998 (22 U.S.C. 6432a(f)) is
5 amended—

6 (1) by striking “The Members of the Commis-
7 sion” and inserting the following:

8 “(1) IN GENERAL.—The Members of the Com-
9 mission”; and

10 (2) by adding at the end the following:

11 “(2) PROHIBITION AGAINST PAYMENT OF OFFI-
12 CIAL TRAVEL BY NON-FEDERAL SOURCES.—Mem-
13 bers of the Commission and Commission staff may
14 not accept payment from a non-Federal source for
15 expenses related to official travel on behalf of the
16 Commission.”.

17 (c) ANNUAL DISCLOSURES.—Section 203 of the
18 International Religious Freedom Act of 1998, as amended
19 by subsection (b), is further amended by adding at the
20 end the following:

21 “(g) ANNUAL DISCLOSURES.—Not later than March
22 1 of each year, each Member of the Commission shall sub-
23 mit a report to the appropriate congressional committees
24 (as defined in section 4(a) of the United States Commis-
25 sion on International Religious Freedom Reauthorization

1 Act of 2015 (22 U.S.C. 6433a(a)) with respect to the most
2 recently concluded 12-month period, that discloses any
3 travel by the Member outside of the United States that
4 was paid for or reimbursed by a person or entity other
5 than the Member, a relative of the Member, or the Federal
6 Government, including—

7 “(1) who paid for or reimbursed the travel;

8 “(2) a good faith estimate of the cost of the
9 travel, if the travel was funded by a person or entity
10 that does not employ the Member; and

11 “(3) brief details of the travel and events re-
12 lated to such travel.”.

13 **SEC. 807. STRATEGIC PLAN.**

14 Section 4(d) of the United States Commission on
15 International Religious Freedom Reauthorization Act of
16 2015 (22 U.S.C. 6433a(d)) is amended by striking “Not
17 later than 180 days after the date of the enactment of
18 the Act, and not less frequently than biennially thereafter”
19 and inserting “Not later than 180 days after the date of
20 the enactment of this Act, and every 2 years thereafter”.

21 **SEC. 808. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 207(a) of the International Religious Free-
23 dom Act of 1998 (22 U.S.C. 6435(a)) is amended by strik-
24 ing “2016 to 2019” and inserting “2019 through 2022”.

1 **SEC. 809. RECORD RETENTION.**

2 Section 208 of the International Religious Freedom
3 Act of 1998 (22 U.S.C. 6435a) is amended by adding at
4 the end the following:

5 “(f) COMMISSION RECORDS.—The Commission shall
6 comply with all of the records management requirements
7 set forth in chapter 31 of title 44, United States Code
8 (commonly referred to as the ‘Federal Records Act of
9 1950’).

10 “(g) OFFICIAL EMAIL FOR COMMISSION BUSI-
11 NESS.—When conducting any Commission business on
12 electronic accounts, Commission Members and staff shall
13 use official Commission electronic accounts.”.

14 **TITLE IX—OTHER MATTERS**

15 **SEC. 901. SPECIAL RULES FOR CERTAIN MONTHLY WORK-**
16 **ERS’ COMPENSATION PAYMENTS AND OTHER**
17 **PAYMENTS FOR DEPARTMENT OF STATE**
18 **PERSONNEL UNDER CHIEF OF MISSION AU-**
19 **THORITY.**

20 (a) ADJUSTMENT OF COMPENSATION FOR CERTAIN
21 INJURIES.—

22 (1) INCREASE.—The Secretary of State may
23 pay an additional monthly monetary benefit, pro-
24 vided that the covered employee is receiving benefits
25 under section 8105 or 8106 of title 5, United States
26 Code, and may determine the amount of each

1 monthly monetary benefit amount by taking into ac-
2 count—

3 (A) the severity of the qualifying injury;

4 (B) the circumstances by which the cov-
5 ered employee became injured; and

6 (C) the seniority of the covered employee,
7 particularly for purposes of compensating for
8 lost career growth.

9 (2) MAXIMUM.—Notwithstanding chapter 81 of
10 title 5, United States Code, the total amount of
11 monthly compensation increased under paragraph
12 (1) may not exceed the monthly pay of the max-
13 imum rate of basic pay for GS-15 of the General
14 Schedule under section 5332 of such title.

15 (b) COSTS FOR TREATING QUALIFYING INJURIES.—
16 The Secretary of State may pay the costs of or reimburse
17 for diagnosing and treating—

18 (1) a qualifying injury of a covered employee
19 for such costs, that are not otherwise covered by
20 chapter 81 of title 5, United States Code, or other
21 provision of Federal law; or

22 (2) a covered individual, or a covered depend-
23 ent, for such costs that are not otherwise covered by
24 Federal law.

1 (c) INFORMATION EXCHANGE.—To avoid duplicate
2 or otherwise improper payments under this subsection, the
3 Secretary of Labor and the Secretary of State shall ex-
4 change information about the amounts paid for treatment
5 of qualifying injuries.

6 (d) REGULATIONS.—Not later than 120 days after
7 the date of the enactment of this Act, the Secretary of
8 State shall—

9 (1) prescribe regulations ensuring the fair and
10 equitable implementation of this section; and

11 (2) submit to the Committee on Foreign Rela-
12 tions of the Senate and the Committee on Foreign
13 Affairs of the House of Representatives such regula-
14 tions.

15 (e) DEFINITIONS.—In this section:

16 (1) COVERED DEPENDENT.—The term “covered
17 dependent” means a family member (as defined by
18 the Secretary of State) of a employee who, on or
19 after January 1, 2016—

20 (A) accompanies the employee to an as-
21 signed duty station in a foreign country under
22 chief of mission authority; and

23 (B) becomes injured by reason of a quali-
24 fying injury.

1 (2) COVERED EMPLOYEE.—The term “covered
2 employee” means an employee of the Department of
3 State who, on or after January 1, 2016, becomes in-
4 jured by reason of a qualifying injury and was as-
5 signed to a duty station in the Republic of Cuba, the
6 People’s Republic of China, or another foreign coun-
7 try designated by the Secretary of State pursuant to
8 subsection (f).

9 (3) COVERED INDIVIDUAL.—The term “covered
10 individual” means an individual who, on or after
11 January 1, 2016, becomes injured by reason of a
12 qualifying injury and is—

13 (A) detailed to a duty station in the Re-
14 public of Cuba, the People’s Republic of China,
15 or another foreign country designated by the
16 Secretary of State pursuant to subsection (f);
17 or

18 (B) affiliated with the Department of
19 State, as determined by the Secretary of State.

20 (4) QUALIFYING INJURY.—The term “quali-
21 fying injury” means the following:

22 (A) With respect to a covered dependent,
23 an injury incurred—

24 (i) during a period in which the cov-
25 ered dependent is accompanying an em-

1 ployee to an assigned duty station in the
2 Republic of Cuba, the People’s Republic of
3 China, or another foreign country des-
4 ignated by the Secretary of State pursuant
5 to subsection (f);

6 (ii) in connection with war, insur-
7 gency, hostile act, terrorist activity, or
8 other incident designated by the Secretary
9 of State; and

10 (iii) that was not the result of the
11 willful misconduct of the covered depend-
12 ent.

13 (B) With respect to a covered employee or
14 a covered individual, an injury incurred—

15 (i) during a period of assignment to a
16 duty station in the Republic of Cuba, the
17 People’s Republic of China, or another
18 country designated by the Secretary of
19 State pursuant to subsection (f);

20 (ii) in connection with war, insur-
21 gency, hostile act, terrorist activity, or
22 other incident designated by the Secretary
23 of State; and

1 (iii) that was not the result of the
2 willful misconduct of the covered employee
3 or the covered individual.

4 (f) DESIGNATION BY THE SECRETARY OF STATE OF
5 ANOTHER FOREIGN COUNTRY OR DUTY STATION.—The
6 Secretary of State may designate another foreign country
7 for the purposes of this section, provided that the Sec-
8 retary reports such designation to the Committee on For-
9 eign Relations of the Senate and the Committee on For-
10 eign Affairs of the House of Representatives, and includes
11 in such report a rationale for each such designation. The
12 Secretary of State may not designate an added foreign
13 country or duty station for purposes of providing addi-
14 tional monetary benefit pursuant to subsection (a) or (b)
15 for a qualifying injury to covered employees, covered de-
16 pendants, or covered individuals under this section unless
17 the Secretary of State—

18 (1) provides to the Committees on Foreign Re-
19 lations of the Senate and the Committee on Foreign
20 Affairs of the House of Representatives 30 days' no-
21 tice of the designation of a particular additional
22 country or duty station and the rationale for such
23 addition; and

24 (2) provides no such additional monetary ben-
25 efit pursuant to subsection (a) or (b) to covered em-

1 ployees, covered dependents, or covered individuals
2 for a qualifying injury until the 30-day notice period
3 expires, unless there is written agreement by both
4 the Chair and Ranking Members of both the Com-
5 mittee on Foreign Relations of the Senate and the
6 Committee on Foreign Affairs of the House of Rep-
7 resentatives that there is no objection to proceeding
8 with provision of such monetary benefit compensa-
9 tion in less than 30 days.

10 (g) TREATMENT OF AMOUNTS.—For purposes of sec-
11 tion 104 of the Internal Revenue Code of 1986, amounts
12 paid pursuant to this section shall be treated as amounts
13 described in subsection (a)(5) of such section.

14 (h) APPLICATION.—

15 (1) IN GENERAL.—This section shall apply with
16 respect to—

17 (A) payments made to covered employees
18 (as defined in such section) under section 8105
19 or 8106 of title 5, United States Code, begin-
20 ning on or after January 1, 2016; and

21 (B) diagnosis or treatment described in
22 subsection (b) occurring on or after January 1,
23 2016.

24 (2) RULE OF CONSTRUCTION.—Nothing in this
25 section shall modify or otherwise supersede chapter

1 81 of title 5, or chapter 11 of title 42 United States
2 Code. Monetary benefits and treatment expenses
3 paid under this section shall not be considered pay-
4 ments under any workers' compensation law.

5 **SEC. 902. DECLASSIFICATION OF INFORMATION RELATED**
6 **TO CERTAIN ACTIONS BY SAUDI ARABIAN OF-**
7 **FICIALS.**

8 Not later than 30 days after the date of the enact-
9 ment of this Act, the Director of the Federal Bureau of
10 Investigation, in coordination with the Director of Na-
11 tional Intelligence, shall declassify, with any redactions
12 necessary to protect intelligence sources and methods, any
13 and all information related to whether the Government of
14 Saudi Arabia materially assisted or facilitated any citizen
15 or national of Saudi Arabia in departing from the United
16 States while the citizen or national was awaiting trial or
17 sentencing for a criminal offense committed in the United
18 States.

19 **SEC. 903. PROMOTING SECURITY AND JUSTICE FOR VIC-**
20 **TIMS OF TERRORISM.**

21 (a) **SHORT TITLE.**—This section may be cited as the
22 Promoting Security and Justice for Victims of Terrorism
23 Act of 2019.

1 (b) FACILITATION OF THE SETTLEMENT OF TER-
2 RORISM-RELATED CLAIMS OF NATIONALS OF THE
3 UNITED STATES.—

4 (1) COMPREHENSIVE PROCESS TO FACILITATE
5 THE RESOLUTION OF ANTI-TERRORISM ACT
6 CLAIMS.—The Secretary of State, in consultation
7 with the Attorney General, shall, not later than 30
8 days after the date of enactment of this Act, develop
9 and initiate a comprehensive process for the Depart-
10 ment of State to facilitate the resolution and settle-
11 ment of covered claims.

12 (2) ELEMENTS OF COMPREHENSIVE PROC-
13 ESS.—The comprehensive process developed under
14 paragraph (1) shall include, at a minimum, the fol-
15 lowing:

16 (A) Not later than 45 days after the date
17 of enactment of this Act, the Department of
18 State shall publish a notice in the Federal Reg-
19 ister identifying the method by which a national
20 of the United States, or a representative of a
21 national of the United States, who has a cov-
22 ered claim, may contact the Department of
23 State to give notice of the covered claim.

24 (B) Not later than 120 days after the date
25 of enactment of this Act, the Secretary of

1 State, or a designee of the Secretary, shall meet
2 (and make every effort to continue to meet on
3 a regular basis thereafter) with any national of
4 the United States, or a representative of a na-
5 tional of the United States, who has a covered
6 claim and has informed the Department of
7 State of the covered claim using the method es-
8 tablished pursuant to subparagraph (A) to dis-
9 cuss the status of the covered claim, including
10 the status of any settlement discussions with
11 the Palestinian Authority or the Palestine Lib-
12 eration Organization.

13 (C) Not later than 180 days after the date
14 of enactment of this Act, the Secretary of
15 State, or a designee of the Secretary, shall
16 make every effort to meet (and make every ef-
17 fort to continue to meet on a regular basis
18 thereafter) with representatives of the Pales-
19 tinian Authority and the Palestine Liberation
20 Organization to discuss the covered claims iden-
21 tified pursuant to subparagraph (A) and poten-
22 tial settlement of the covered claims.

23 (3) REPORT TO CONGRESS.—The Secretary of
24 State shall, not later than 240 days after the date
25 of enactment of this Act, and annually thereafter for

1 5 years, submit to the Committee on the Judiciary
2 and the Committee on Foreign Relations of the Sen-
3 ate and the Committee on the Judiciary and the
4 Committee on Foreign Affairs of the House of Rep-
5 resentatives a report describing activities that the
6 Department of State has undertaken to comply with
7 this subsection, including specific updates regarding
8 subparagraphs (B) and (C) of paragraph (2).

9 (4) SENSE OF CONGRESS.—It is the sense of
10 Congress that—

11 (A) covered claims should be resolved in a
12 manner that provides just compensation to the
13 victims;

14 (B) covered claims should be resolved and
15 settled in favor of the victim to the fullest ex-
16 tent possible and without subjecting victims to
17 unnecessary or protracted litigation;

18 (C) the United States Government should
19 take all practicable steps to facilitate the resolu-
20 tion and settlement of all covered claims, in-
21 cluding engaging directly with the victims or
22 their representatives and the Palestinian Au-
23 thority and the Palestine Liberation Organiza-
24 tion; and

1 (D) the United States Government should
2 strongly urge the Palestinian Authority and the
3 Palestine Liberation Organization to commit to
4 good-faith negotiations to resolve and settle all
5 covered claims.

6 (5) DEFINITION.—In this subsection, the term
7 “covered claim” means any pending action by, or
8 final judgment in favor of, a national of the United
9 States, or any action by a national of the United
10 States dismissed for lack of personal jurisdiction,
11 under section 2333 of title 18, United States Code,
12 against the Palestinian Authority or the Palestine
13 Liberation Organization.

14 (c) JURISDICTIONAL AMENDMENTS TO FACILITATE
15 RESOLUTION OF TERRORISM-RELATED CLAIMS OF NA-
16 TIONALS OF THE UNITED STATES.—

17 (1) IN GENERAL.—Section 2334(e) of title 18,
18 United States Code, is amended—

19 (A) by striking paragraph (1) and insert-
20 ing the following:

21 “(1) IN GENERAL.—Except as provided in para-
22 graph (2), for purposes of any civil action under sec-
23 tion 2333 of this title, a defendant shall be deemed
24 to have consented to personal jurisdiction in such
25 civil action if, regardless of the date of the occur-

1 rence of the act of international terrorism upon
2 which such civil action was filed, the defendant—

3 “(A) after the date that is 120 days after
4 the date of the enactment of the Promoting Se-
5 curity and Justice for Victims of Terrorism Act
6 of 2019, makes any payment, directly or indi-
7 rectly—

8 “(i) to any payee designated by any
9 individual who, after being fairly tried or
10 pleading guilty, has been imprisoned for
11 committing any act of terrorism that in-
12 jured or killed a national of the United
13 States, if such payment is made by reason
14 of such imprisonment; or

15 “(ii) to any family member of any in-
16 dividual, following such individual’s death
17 while committing an act of terrorism that
18 injured or killed a national of the United
19 States, if such payment is made by reason
20 of the death of such individual; or

21 “(B) after 15 days after the date of enact-
22 ment of the Promoting Security and Justice for
23 Victims of Terrorism Act of 2019—

1 “(i) continues to maintain any office,
2 headquarters, premises, or other facilities
3 or establishments in the United States;

4 “(ii) establishes or procures any of-
5 fice, headquarters, premises, or other fa-
6 cilities or establishments in the United
7 States; or

8 “(iii) conducts any activity while phys-
9 ically present in the United States on be-
10 half of the Palestine Liberation Organiza-
11 tion or the Palestinian Authority.”;

12 (B) in paragraph (2), by adding at the end
13 the following: “Except with respect to payments
14 described in paragraph (1)(A), no court may
15 consider the receipt of any assistance by a non-
16 governmental organization, whether direct or
17 indirect, as a basis for consent to jurisdiction
18 by a defendant.”; and

19 (C) by adding at the end the following:

20 “(3) EXCEPTION FOR CERTAIN ACTIVITIES AND
21 LOCATIONS.—In determining whether a defendant
22 shall be deemed to have consented to personal juris-
23 diction under paragraph (1)(B), no court may con-
24 sider—

1 “(A) any office, headquarters, premises, or
2 other facility or establishment used exclusively
3 for the purpose of conducting official business
4 of the United Nations;

5 “(B) any activity undertaken exclusively
6 for the purpose of conducting official business
7 of the United Nations;

8 “(C) any activity involving officials of the
9 United States that the Secretary of State deter-
10 mines is in the national interest of the United
11 States if the Secretary reports to the appro-
12 priate congressional committees annually on the
13 use of the authority under this subparagraph;

14 “(D) any activity undertaken exclusively
15 for the purpose of meetings with officials of the
16 United States or other foreign governments, or
17 participation in training and related activities
18 funded or arranged by the United States Gov-
19 ernment;

20 “(E) any activity related to legal represen-
21 tation—

22 “(i) for matters related to activities
23 described in this paragraph;

1 “(ii) for the purpose of adjudicating
2 or resolving claims filed in courts of the
3 United States; or

4 “(iii) to comply with this subsection;
5 or

6 “(F) any personal or official activities con-
7 ducted ancillary to activities listed under this
8 paragraph.

9 “(4) RULE OF CONSTRUCTION.—Notwith-
10 standing any other law (including any treaty), any
11 office, headquarters, premises, or other facility or es-
12 tablishment within the territory of the United States
13 that is not specifically exempted by paragraph
14 (3)(A) shall be considered to be in the United States
15 for purposes of paragraph (1)(B).

16 “(5) DEFINED TERM.—In this subsection, the
17 term ‘defendant’ means—

18 “(A) the Palestinian Authority;

19 “(B) the Palestine Liberation Organiza-
20 tion;

21 “(C) any organization or other entity that
22 is a successor to or affiliated with the Pales-
23 tinian Authority or the Palestine Liberation Or-
24 ganization; or

1 “(D) any organization or other entity
2 that—

3 “(i) is identified in subparagraph (A),
4 (B), or (C); and

5 “(ii) self identifies as, holds itself out
6 to be, or carries out conduct in the name
7 of, the ‘State of Palestine’ or ‘Palestine’ in
8 connection with official business of the
9 United Nations.”.

10 (2) PRIOR CONSENT NOT ABROGATED.—The
11 amendments made by this subsection shall not abro-
12 gate any consent deemed to have been given under
13 section 2334(e) of title 18, United States Code, as
14 in effect on the day before the date of enactment of
15 this Act.

16 (d) RULES OF CONSTRUCTION; APPLICABILITY; SEV-
17 ERABILITY.—

18 (1) RULES OF CONSTRUCTION.—

19 (A) IN GENERAL.—This section, and the
20 amendments made by this section, should be
21 liberally construed to carry out the purposes of
22 Congress to provide relief for victims of ter-
23 rorism.

24 (B) CASES AGAINST OTHER PERSONS.—

25 Nothing in this section may be construed to af-

1 fect any law or authority, as in effect on the
2 day before the date of enactment of this Act,
3 relating to a case brought under section
4 2333(a) of title 18, United States Code, against
5 a person who is not a defendant, as defined in
6 paragraph (5) of section 2334(e) of title 18,
7 United States Code, as added by subsection
8 (c)(1) of this section.

9 (2) **APPLICABILITY.**—This section, and the
10 amendments made by this section, shall apply to any
11 case pending on or after August 30, 2016.

12 (3) **SEVERABILITY.**—If any provision of this
13 section, an amendment made by this section, or the
14 application of such provision or amendment to any
15 person or circumstance is held to be unconstitu-
16 tional, the remainder of this section, the amend-
17 ments made by this section, and the application of
18 such provisions to any person or circumstance shall
19 not be affected thereby.

20 **SEC. 904. DEBT RELIEF FOR SOMALIA.**

21 (a) **DEBT RELIEF.**—(1) Of the funds appropriated
22 under titles III and IV of division G of this Act and under
23 such titles in prior Acts making appropriations for the De-
24 partment of State, foreign operations, and related pro-
25 grams, not to exceed \$35,000,000 may be transferred to

1 the “Department of the Treasury, Debt Restructuring”
2 account for the same purposes and under the same au-
3 thorities and conditions (other than the period of avail-
4 ability) as other funds provided under that heading for
5 the cost, as defined in section 502 of the Congressional
6 Budget Act of 1974, of modifying loans and loan guaran-
7 tees, as the President may determine, or for the cost of
8 selling, reducing, or cancelling amounts owed to the
9 United States as a result of loans made to Somalia, in
10 the event that Somalia meets the domestic and inter-
11 nationally-agreed conditions and the transfer is consistent
12 with United States law and foreign policy considerations.

13 (2) For the purposes of this section, no amounts may
14 be transferred from amounts designated for Overseas Con-
15 tingency Operations/Global War on Terrorism or as emer-
16 gency requirements pursuant to a concurrent resolution
17 on the budget or section 251(b)(2)(A) of the Balanced
18 Budget and Emergency Deficit Control Act of 1985.

19 (3) Prior to the initial obligation of funds made avail-
20 able pursuant to this section, the Secretary of State shall
21 submit to the appropriate congressional committees a re-
22 port on the outcome of the Paris Club meeting on debt
23 cancellation for Somalia, the estimate of amounts needed
24 and over what time period, and the proposed sources of
25 funds to be transferred pursuant to this section: *Provided,*

1 That such funds shall also be subject to prior consultation
2 with the appropriate congressional committees and the
3 regular notification procedures of such committees.

4 (b) DEBT RESTRUCTURING.—Section 501(i) of title
5 V of H.R. 3425, as enacted into law by section 1000(a)(5)
6 of Public Law 106–113 (113 Stat. 1501A–313), as most
7 recently amended by section 699H(b)(1) of division J of
8 the Consolidated Appropriations Act, 2008 (Public Law
9 110–161; 121 Stat. 2372), is further amended by striking
10 “2000–2010” and inserting “2000–2021”.

11 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
12 FINED.—In this section, the term “appropriate congres-
13 sional committees” means—

14 (1) the Committee on Foreign Relations and
15 the Committee on Appropriations of the Senate; and

16 (2) the Committee on Foreign Affairs and the
17 Committee on Appropriations of the House of Rep-
18 resentatives.

1 **DIVISION K—NATIONAL LAW EN-**
2 **FORCEMENT MUSEUM COM-**
3 **MEMORATIVE COIN**

4 **SEC. 101. SHORT TITLE.**

5 This division may be cited as the “National Law En-
6 forcement Museum Commemorative Coin Act”.

7 **SEC. 102. FINDINGS.**

8 The Congress finds the following:

9 (1) In 2000, Congress passed and President
10 William J. Clinton signed into law the National Law
11 Enforcement Museum Act (Public Law 106–492),
12 which authorized the National Law Enforcement Of-
13 ficers Memorial Fund, Inc., to build the National
14 Law Enforcement Museum on Federal land in the
15 District of Columbia to honor and commemorate the
16 service and sacrifice of law enforcement officers in
17 the United States.

18 (2) In April 2016, construction began on the
19 National Law Enforcement Museum in the District
20 of Columbia across the street from the National Law
21 Enforcement Officers Memorial in Judiciary Square.

22 (3) The National Law Enforcement Museum
23 formally opened in October of 2018.

24 (4) The National Law Enforcement Museum’s
25 mission is—

1 (A) to honor and commemorate the ex-
2 traordinary service and sacrifice of America’s
3 law enforcement officers;

4 (B) to serve as an important bridge be-
5 tween law enforcement’s past and present, be-
6 tween the heroes of yesteryear and those who
7 have followed in their footsteps, and between
8 America’s peace officers and the public they
9 serve;

10 (C) increase public understanding and sup-
11 port for law enforcement and to promote law
12 enforcement safety; and

13 (D) strengthen the relationship between
14 law enforcement and the communities they
15 serve with thought-provoking programs at the
16 Museum and around the country that promote
17 dialogue on topics of current interest.

18 **SEC. 103. COIN SPECIFICATIONS.**

19 (a) DENOMINATIONS.—The Secretary of the Treas-
20 ury (hereafter in this Act referred to as the “Secretary”)
21 shall mint and issue the following coin:

22 (1) \$5 GOLD COINS.—Not more than 50,000 \$5
23 coins, which shall—

24 (A) weigh 8.359 grams;

25 (B) have a diameter of 0.850 inches; and

1 (C) contain not less than 90 percent gold.

2 (2) \$1 SILVER COINS.—Not more than 400,000

3 \$1 coins, which shall—

4 (A) weigh 26.73 grams;

5 (B) have a diameter of 1.500 inches; and

6 (C) contain not less than 90 percent silver.

7 (3) HALF-DOLLAR CLAD COINS.—Not more

8 than 750,000 half-dollar coins which shall—

9 (A) weigh 11.34 grams;

10 (B) have a diameter of 1.205 inches; and

11 (C) be minted to the specifications for half-

12 dollar coins contained in section 5112(b) of title

13 31, United States Code.

14 (b) LEGAL TENDER.—The coins minted under this

15 Act shall be legal tender, as provided in section 5103 of

16 title 31, United States Code.

17 (c) NUMISMATIC ITEMS.—For purposes of section

18 5134 of title 31, United States Code, all coins minted

19 under this Act shall be considered to be numismatic items.

20 **SEC. 104. DESIGN OF COINS.**

21 (a) DESIGN REQUIREMENTS.—

22 (1) IN GENERAL.—The design of the coins

23 minted under this Act shall be emblematic of the

24 National Law Enforcement Museum and the service

1 and sacrifice of law enforcement officers throughout
2 the history of the United States.

3 (2) DESIGNATION AND INSCRIPTIONS.—On
4 each coin minted under this Act there shall be—

5 (A) a designation of the value of the coin;

6 (B) an inscription of the year “2021”; and

7 (C) inscriptions of the words “Liberty”,
8 “In God We Trust”, “United States of Amer-
9 ica”, and “E Pluribus Unum”.

10 (b) SELECTION.—The design for the coins minted
11 under this Act shall be—

12 (1) selected by the Secretary after consultation
13 with the Commission of Fine Arts and the National
14 Law Enforcement Officers Memorial Fund, Inc.; and

15 (2) reviewed by the Citizens Coinage Advisory
16 Committee.

17 **SEC. 105. ISSUANCE OF COINS.**

18 (a) QUALITY OF COINS.—Coins minted under this
19 Act shall be issued in uncirculated and proof qualities.

20 (b) MINT FACILITIES.—Only one facility of the
21 United States Mint may be used to strike any particular
22 quality of the coins minted under this Act.

23 (c) PERIOD FOR ISSUANCE.—The Secretary may
24 issue coins minted under this Act only during the 1-year
25 period beginning on January 1, 2021.

1 **SEC. 106. SALE OF COINS.**

2 (a) SALE PRICE.—The coins issued under this Act
3 shall be sold by the Secretary at a price equal to the sum
4 of—

5 (1) the face value of the coins;

6 (2) the surcharge provided in section 107(a)
7 with respect to such coins; and

8 (3) the cost of designing and issuing the coins
9 (including labor, materials, dies, use of machinery,
10 overhead expenses, marketing, and shipping).

11 (b) BULK SALES.—The Secretary shall make bulk
12 sales of the coins issued under this Act at a reasonable
13 discount.

14 (c) PREPAID ORDERS.—

15 (1) IN GENERAL.—The Secretary shall accept
16 prepaid orders for the coins minted under this Act
17 before the issuance of such coins.

18 (2) DISCOUNT.—Sale prices with respect to pre-
19 paid orders under paragraph (1) shall be at a rea-
20 sonable discount.

21 **SEC. 107. SURCHARGES.**

22 (a) IN GENERAL.—All sales of coins issued under this
23 Act shall include a surcharge of—

24 (1) \$35 per coin for the \$5 coin;

25 (2) \$10 per coin for the \$1 coin; and

26 (3) \$5 per coin for the half-dollar coin.

1 (b) DISTRIBUTION.—Subject to section 5134(f)(1) of
2 title 31, United States Code, all surcharges received by
3 the Secretary from the sale of coins issued under this Act
4 shall be promptly paid by the Secretary to the National
5 Law Enforcement Officers Memorial Fund, Inc., for edu-
6 cational and outreach programs and exhibits.

7 (c) AUDITS.—The National Law Enforcement Offi-
8 cers Memorial Fund, Inc., shall be subject to the audit
9 requirements of section 5134(f)(2) of title 31, United
10 States Code, with regard to the amounts received under
11 subsection (b).

12 (d) LIMITATION.—Notwithstanding subsection (a),
13 no surcharge may be included with respect to the issuance
14 under this Act of any coin during a calendar year if, as
15 of the time of such issuance, the issuance of such coin
16 would result in the number of commemorative coin pro-
17 grams issued during such year to exceed the annual two
18 commemorative coin program issuance limitation under
19 section 5112(m)(1) of title 31, United States Code (as in
20 effect on the date of the enactment of this Act). The Sec-
21 retary of the Treasury may issue guidance to carry out
22 this subsection.

23 **SEC. 108. FINANCIAL ASSURANCES.**

24 The Secretary shall take such actions as may be nec-
25 essary to ensure that—

1 (1) minting and issuing coins under this Act
2 will not result in any net cost to the United States
3 Government; and

4 (2) no funds, including applicable surcharges,
5 are disbursed to any recipient designated in section
6 107 until the total cost of designing and issuing all
7 of the coins authorized by this Act (including labor,
8 materials, dies, use of machinery, overhead expenses,
9 marketing, and shipping) is recovered by the United
10 States Treasury, consistent with sections 5112(m)
11 and 5134(f) of title 31, United States Code.

1 **DIVISION L—DHS CYBER HUNT**
2 **AND INCIDENT RESPONSE**
3 **TEAMS**

4 **SEC. 101. SHORT TITLE.**

5 This division may be cited as the “DHS Cyber Hunt
6 and Incident Response Teams Act of 2019”.

7 **SEC. 102. DEPARTMENT OF HOMELAND SECURITY CYBER**
8 **HUNT AND INCIDENT RESPONSE TEAMS.**

9 (a) IN GENERAL.—Section 2209 of the Homeland
10 Security Act of 2002 (6 U.S.C. 659) is amended—

11 (1) in subsection (d)(1)(B)(iv), by inserting “,
12 including cybersecurity specialists” after “entities”;

13 (2) by redesignating subsections (f) through
14 (m) as subsections (g) through (n), respectively;

15 (3) by inserting after subsection (e) the fol-
16 lowing:

17 “(f) CYBER HUNT AND INCIDENT RESPONSE
18 TEAMS.—

19 “(1) IN GENERAL.—The Center shall maintain
20 cyber hunt and incident response teams for the pur-
21 pose of leading Federal asset response activities and
22 providing timely technical assistance to Federal and
23 non-Federal entities, including across all critical in-
24 frastructure sectors, regarding actual or potential

1 security incidents, as appropriate and upon request,
2 including—

3 “(A) assistance to asset owners and opera-
4 tors in restoring services following a cyber inci-
5 dent;

6 “(B) identification and analysis of
7 cybersecurity risk and unauthorized cyber activ-
8 ity;

9 “(C) mitigation strategies to prevent,
10 deter, and protect against cybersecurity risks;

11 “(D) recommendations to asset owners and
12 operators for improving overall network and
13 control systems security to lower cybersecurity
14 risks, and other recommendations, as appro-
15 priate; and

16 “(E) such other capabilities as the Sec-
17 retary determines appropriate.

18 “(2) ASSOCIATED METRICS.—The Center
19 shall—

20 “(A) define the goals and desired outcomes
21 for each cyber hunt and incident response team;
22 and

23 “(B) develop metrics—

24 “(i) to measure the effectiveness and
25 efficiency of each cyber hunt and incident

1 response team in achieving the goals and
2 desired outcomes defined under subpara-
3 graph (A); and

4 “(ii) that—

5 “(I) are quantifiable and action-
6 able; and

7 “(II) the Center shall use to im-
8 prove the effectiveness and account-
9 ability of, and service delivery by,
10 cyber hunt and incident response
11 teams.

12 “(3) CYBERSECURITY SPECIALISTS.—After no-
13 tice to, and with the approval of, the entity request-
14 ing action by or technical assistance from the Cen-
15 ter, the Secretary may include cybersecurity special-
16 ists from the private sector on a cyber hunt and in-
17 cident response team.”; and

18 (4) in subsection (g), as so redesignated—

19 (A) in paragraph (1), by inserting “, or
20 any team or activity of the Center,” after “Cen-
21 ter”; and

22 (B) in paragraph (2), by inserting “, or
23 any team or activity of the Center,” after “Cen-
24 ter”.

25 (b) REPORT.—

1 (1) DEFINITIONS.—In this subsection—

2 (A) the term “Center” means the national
3 cybersecurity and communications integration
4 center established under section 2209(b) of the
5 Homeland Security Act of 2002 (6 U.S.C.
6 659(b));

7 (B) the term “cyber hunt and incident re-
8 sponse team” means a cyber hunt and incident
9 response team maintained under section
10 2209(f) of the Homeland Security Act of 2002
11 (6 U.S.C. 659(f)), as added by this Act; and

12 (C) the term “incident” has the meaning
13 given the term in section 2209(a) of the Home-
14 land Security Act of 2002 (6 U.S.C. 659(a)).

15 (2) REPORT.—At the conclusion of each of the
16 first 4 fiscal years after the date of enactment of the
17 DHS Cyber Hunt and Incident Response Teams Act
18 of 2019, the Center shall submit to the Committee
19 on Homeland Security and Governmental Affairs of
20 the Senate and the Committee on Homeland Secu-
21 rity of the House of Representatives a report that
22 includes—

23 (A) information relating to the metrics
24 used for evaluation and assessment of the cyber
25 hunt and incident response teams and oper-

1 ations under section 2209(f)(2) of the Home-
2 land Security Act of 2002 (6 U.S.C. 659(f)(2)),
3 as added by this Act, including the resources
4 and staffing of those cyber hunt and incident
5 response teams; and

6 (B) for the period covered by the report—

7 (i) the total number of incident re-
8 sponse requests received;

9 (ii) the number of incident response
10 tickets opened; and

11 (iii) a statement of—

12 (I) all interagency staffing of
13 cyber hunt and incident response
14 teams; and

15 (II) the interagency collabora-
16 tions established to support cyber
17 hunt and incident response teams.

18 (c) **NO ADDITIONAL FUNDS AUTHORIZED.**—No addi-
19 tional funds are authorized to be appropriated to carry
20 out the requirements of this Act and the amendments
21 made by this Act. Such requirements shall be carried out
22 using amounts otherwise authorized to be appropriated.

1 **DIVISION M—BIPARTISAN**
2 **AMERICAN MINERS**

3 **SEC. 101. SHORT TITLE.**

4 This division may be cited as the “Bipartisan Amer-
5 ican Miners Act of 2019”.

6 **SEC. 102. TRANSFERS TO 1974 UMWA PENSION PLAN.**

7 (a) **IN GENERAL.**—Subsection (i) of section 402 of
8 the Surface Mining Control and Reclamation Act of 1977
9 (30 U.S.C. 1232) is amended—

10 (1) in paragraph (3)(A), by striking
11 “\$490,000,000” and inserting “\$750,000,000”;

12 (2) by redesignating paragraph (4) as para-
13 graph (5); and

14 (3) by inserting after paragraph (3) the fol-
15 lowing:

16 “(4) **ADDITIONAL AMOUNTS.**—

17 “(A) **CALCULATION.**—If the dollar limita-
18 tion specified in paragraph (3)(A) exceeds the
19 aggregate amount required to be transferred
20 under paragraphs (1) and (2) for a fiscal year,
21 the Secretary of the Treasury shall transfer an
22 additional amount equal to the difference be-
23 tween such dollar limitation and such aggregate
24 amount to the trustees of the 1974 UMWA

1 Pension Plan to pay benefits required under
2 that plan.

3 “(B) CESSATION OF TRANSFERS.—The
4 transfers described in subparagraph (A) shall
5 cease as of the first fiscal year beginning after
6 the first plan year for which the funded per-
7 centage (as defined in section 432(j)(2) of the
8 Internal Revenue Code of 1986) of the 1974
9 UMWA Pension Plan is at least 100 percent.

10 “(C) PROHIBITION ON BENEFIT IN-
11 CREASES, ETC.—During a fiscal year in which
12 the 1974 UMWA Pension Plan is receiving
13 transfers under subparagraph (A), no amend-
14 ment of such plan which increases the liabilities
15 of the plan by reason of any increase in bene-
16 fits, any change in the accrual of benefits, or
17 any change in the rate at which benefits become
18 nonforfeitable under the plan may be adopted
19 unless the amendment is required as a condi-
20 tion of qualification under part I of subchapter
21 D of chapter 1 of the Internal Revenue Code of
22 1986.

23 “(D) CRITICAL STATUS TO BE MAIN-
24 TAINED.—Until such time as the 1974 UMWA

1 Pension Plan ceases to be eligible for the trans-
2 fers described in subparagraph (A)—

3 “(i) the Plan shall be treated as if it
4 were in critical status for purposes of sec-
5 tions 412(b)(3), 432(e)(3), and
6 4971(g)(1)(A) of the Internal Revenue
7 Code of 1986 and sections 302(b)(3) and
8 305(e)(3) of the Employee Retirement In-
9 come Security Act;

10 “(ii) the Plan shall maintain and com-
11 ply with its rehabilitation plan under sec-
12 tion 432(e) of such Code and section
13 305(e) of such Act, including any updates
14 thereto; and

15 “(iii) the provisions of subsections (c)
16 and (d) of section 432 of such Code and
17 subsections (c) and (d) of section 305 of
18 such Act shall not apply.

19 “(E) TREATMENT OF TRANSFERS FOR
20 PURPOSES OF WITHDRAWAL LIABILITY UNDER
21 ERISA.—The amount of any transfer made
22 under subparagraph (A) (and any earnings at-
23 tributable thereto) shall be disregarded in deter-
24 mining the unfunded vested benefits of the
25 1974 UMWA Pension Plan and the allocation

1 of such unfunded vested benefits to an employer
2 for purposes of determining the employer's
3 withdrawal liability under section 4201 of the
4 Employee Retirement Income Security Act of
5 1974.

6 “(F) REQUIREMENT TO MAINTAIN CON-
7 TRIBUTION RATE.—A transfer under subpara-
8 graph (A) shall not be made for a fiscal year
9 unless the persons that are obligated to con-
10 tribute to the 1974 UMWA Pension Plan on
11 the date of the transfer are obligated to make
12 the contributions at rates that are no less than
13 those in effect on the date which is 30 days be-
14 fore the date of enactment of the Bipartisan
15 American Miners Act of 2019.

16 “(G) ENHANCED ANNUAL REPORTING.—

17 “(i) IN GENERAL.—Not later than the
18 90th day of each plan year beginning after
19 the date of enactment of the Bipartisan
20 American Miners Act of 2019, the trustees
21 of the 1974 UMWA Pension Plan shall file
22 with the Secretary of the Treasury or the
23 Secretary's delegate and the Pension Ben-
24 efit Guaranty Corporation a report (includ-
25 ing appropriate documentation and actu-

1 arial certifications from the plan actuary,
2 as required by the Secretary of the Treas-
3 ury or the Secretary’s delegate) that con-
4 tains—

5 “(I) whether the plan is in en-
6 dangered or critical status under sec-
7 tion 305 of the Employee Retirement
8 Income Security Act of 1974 and sec-
9 tion 432 of the Internal Revenue Code
10 of 1986 as of the first day of such
11 plan year;

12 “(II) the funded percentage (as
13 defined in section 432(j)(2) of such
14 Code) as of the first day of such plan
15 year, and the underlying actuarial
16 value of assets and liabilities taken
17 into account in determining such per-
18 centage;

19 “(III) the market value of the as-
20 sets of the plan as of the last day of
21 the plan year preceding such plan
22 year;

23 “(IV) the total value of all con-
24 tributions made during the plan year
25 preceding such plan year;

1 “(V) the total value of all bene-
2 fits paid during the plan year pre-
3 ceding such plan year;

4 “(VI) cash flow projections for
5 such plan year and either the 6 or 10
6 succeeding plan years, at the election
7 of the trustees, and the assumptions
8 relied upon in making such projec-
9 tions;

10 “(VII) funding standard account
11 projections for such plan year and the
12 9 succeeding plan years, and the as-
13 sumptions relied upon in making such
14 projections;

15 “(VIII) the total value of all in-
16 vestment gains or losses during the
17 plan year preceding such plan year;

18 “(IX) any significant reduction
19 in the number of active participants
20 during the plan year preceding such
21 plan year, and the reason for such re-
22 duction;

23 “(X) a list of employers that
24 withdrew from the plan in the plan
25 year preceding such plan year, and

1 the resulting reduction in contribu-
2 tions;

3 “(XI) a list of employers that
4 paid withdrawal liability to the plan
5 during the plan year preceding such
6 plan year and, for each employer, a
7 total assessment of the withdrawal li-
8 ability paid, the annual payment
9 amount, and the number of years re-
10 maining in the payment schedule with
11 respect to such withdrawal liability;

12 “(XII) any material changes to
13 benefits, accrual rates, or contribution
14 rates during the plan year preceding
15 such plan year;

16 “(XIII) any scheduled benefit in-
17 crease or decrease in the plan year
18 preceding such plan year having a
19 material effect on liabilities of the
20 plan;

21 “(XIV) details regarding any
22 funding improvement plan or rehabili-
23 tation plan and updates to such plan;

24 “(XV) the number of partici-
25 pants and beneficiaries during the

1 plan year preceding such plan year
2 who are active participants, the num-
3 ber of participants and beneficiaries in
4 pay status, and the number of termi-
5 nated vested participants and bene-
6 ficiaries;

7 “(XVI) the information contained
8 on the most recent annual funding no-
9 tice submitted by the plan under sec-
10 tion 101(f) of the Employee Retirement
11 Income Security Act of 1974;

12 “(XVII) the information con-
13 tained on the most recent Department
14 of Labor Form 5500 of the plan; and

15 “(XVIII) copies of the plan docu-
16 ment and amendments, other retire-
17 ment benefit or ancillary benefit plans
18 relating to the plan and contribution
19 obligations under such plans, a break-
20 down of administrative expenses of
21 the plan, participant census data and
22 distribution of benefits, the most re-
23 cent actuarial valuation report as of
24 the plan year, copies of collective bar-
25 gaining agreements, and financial re-

1 ports, and such other information as
2 the Secretary of the Treasury or the
3 Secretary's delegate, in consultation
4 with the Secretary of Labor and the
5 Director of the Pension Benefit Guar-
6 anty Corporation, may require.

7 “(ii) ELECTRONIC SUBMISSION.—The
8 report required under clause (i) shall be
9 submitted electronically.

10 “(iii) INFORMATION SHARING.—The
11 Secretary of the Treasury or the Sec-
12 retary's delegate shall share the informa-
13 tion in the report under clause (i) with the
14 Secretary of Labor.

15 “(iv) PENALTY.—Any failure to file
16 the report required under clause (i) on or
17 before the date described in such clause
18 shall be treated as a failure to file a report
19 required to be filed under section 6058(a)
20 of the Internal Revenue Code of 1986, ex-
21 cept that section 6652(e) of such Code
22 shall be applied with respect to any such
23 failure by substituting ‘\$100’ for ‘\$25’.
24 The preceding sentence shall not apply if
25 the Secretary of the Treasury or the Sec-

1 retary’s delegate determines that reason-
2 able diligence has been exercised by the
3 trustees of such plan in attempting to
4 timely file such report.

5 “(H) 1974 UMWA PENSION PLAN DE-
6 FINED.—For purposes of this paragraph, the
7 term ‘1974 UMWA Pension Plan’ has the
8 meaning given the term in section 9701(a)(3)
9 of the Internal Revenue Code of 1986, but
10 without regard to the limitation on participation
11 to individuals who retired in 1976 and there-
12 after.”.

13 (b) EFFECTIVE DATES.—

14 (1) IN GENERAL.—The amendments made by
15 this section shall apply to fiscal years beginning
16 after September 30, 2016.

17 (2) REPORTING REQUIREMENTS.—Section
18 402(i)(4)(G) of the Surface Mining Control and Rec-
19 lamation Act of 1977 (30 U.S.C. 1232(i)(4)(G)), as
20 added by this section, shall apply to plan years be-
21 ginning after the date of the enactment of this Act.

1 **SEC. 103. INCLUSION IN MULTIEMPLOYER HEALTH BEN-**
2 **EFIT PLAN.**

3 Section 402(h)(2)(C) of the Surface Mining Control
4 and Reclamation Act of 1977 (30 U.S.C. 1232(h)(2)(C))
5 is amended—

6 (1) by striking “the Health Benefits for Miners
7 Act of 2017” both places it appears in clause (ii)
8 and inserting “the Bipartisan American Miners Act
9 of 2019”;

10 (2) by striking “, would be denied or reduced
11 as a result of a bankruptcy proceeding commenced
12 in 2012 or 2015” in clause (ii)(II) and inserting “or
13 a related coal wage agreement, would be denied or
14 reduced as a result of a bankruptcy proceeding com-
15 menced in 2012, 2015, 2018, or 2019”;

16 (3) by striking “and” at the end of clause
17 (ii)(I), by striking the period at the end of clause
18 (ii)(II) and inserting “; and”, and by inserting after
19 clause (ii)(II) the following new subclause:

20 “(III) the cost of administering
21 the resolution of disputes process ad-
22 ministered (as of the date of the en-
23 actment of the Bipartisan American
24 Miners Act of 2019) by the Trustees
25 of the Plan.”,

1 (4) by striking “January 1, 2017” in clause (ii)
2 and inserting “January 1, 2019”; and

3 (5) by adding at the end the following new
4 clause:

5 “(vi) RELATED COAL WAGE AGREE-
6 MENT.—For purposes of clause (ii), the
7 term ‘related coal wage agreement’ means
8 an agreement between the United Mine
9 Workers of America and an employer in
10 the bituminous coal industry that—

11 “(I) is a signatory operator; or

12 “(II) is or was a debtor in a
13 bankruptcy proceeding that was con-
14 solidated, administratively or other-
15 wise, with the bankruptcy proceeding
16 of a signatory operator or a related
17 person to a signatory operator (as
18 those terms are defined in section
19 9701(e) of the Internal Revenue Code
20 of 1986).”.

21 **SEC. 104. REDUCTION IN MINIMUM AGE FOR ALLOWABLE**
22 **IN-SERVICE DISTRIBUTIONS.**

23 (a) IN GENERAL.—Section 401(a)(36) of the Internal
24 Revenue Code of 1986 is amended by striking “age 62”
25 and inserting “age 59½”.

1 (b) APPLICATION TO GOVERNMENTAL SECTION
2 457(b) PLANS.—Clause (i) of section 457(d)(1)(A) of the
3 Internal Revenue Code of 1986 is amended by inserting
4 “(in the case of a plan maintained by an employer de-
5 scribed in subsection (e)(1)(A), age 59½)” before the
6 comma at the end.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to plan years beginning after De-
9 cember 31, 2019.

1 **DIVISION N—HEALTH AND**
2 **HUMAN SERVICES EXTENDERS**
3 **TITLE I—HEALTH AND HUMAN**
4 **SERVICES EXTENDERS**

Subtitle A—Medicare Provisions

- Sec. 101. Extension of the work geographic index floor under the Medicare program.
- Sec. 102. Extension of funding for quality measure endorsement, input, and selection.
- Sec. 103. Extension of funding outreach and assistance for low-income programs.
- Sec. 104. Extension of appropriations to the Patient-Centered Outcomes Research Trust Fund; extension of certain health insurance fees.
- Sec. 105. Laboratory Access for Beneficiaries.
- Sec. 106. Exclusion of complex rehabilitative manual wheelchairs from medicare competitive acquisition program; non-application of medicare fee-schedule adjustments for certain wheelchair accessories and cushions.
- Sec. 107. Extending pass-through status for certain drugs under part B of the Medicare program.
- Sec. 108. Hematopoietic stem cell acquisition payments.

Subtitle B—Medicaid Provisions

- Sec. 201. Extension of Community Mental Health Services demonstration program.
- Sec. 202. Medicaid funding for the territories.
- Sec. 203. Delay of DSH reductions.
- Sec. 204. Extension of spousal impoverishment protections.
- Sec. 205. Extension of the Money Follows the Person rebalancing demonstration program.

Subtitle C—Human Services and Other Health Programs

- Sec. 301. Extension of demonstration projects to address health professions workforce needs.
- Sec. 302. Extension of the temporary assistance for needy families program and related programs.
- Sec. 303. Extension of sexual risk avoidance education program.
- Sec. 304. Extension of personal responsibility education program.

Subtitle D—Public Health Provisions

- Sec. 401. Extension for community health centers, the national health service corps, and teaching health centers that operate GME programs.
- Sec. 402. Diabetes programs.
- Sec. 403. Poison Center Network Enhancement.
- Sec. 404. Kay Hagan Tick Act.

Subtitle E—Revenue Provisions

- Sec. 501. Repeal of medical device excise tax.
 Sec. 502. Repeal of annual fee on health insurance providers.
 Sec. 503. Repeal of excise tax on high cost employer-sponsored health coverage.

Subtitle F—Miscellaneous Provisions

- Sec. 601. Alaska native regional health entities.
 Sec. 602. Addressing expiration of child welfare demonstration projects and supporting Family First implementation.
 Sec. 603. Minimum age of sale of tobacco products.
 Sec. 604. Sale of tobacco products to individuals under the age of 21.
 Sec. 605. Biological product definition.
 Sec. 606. Protecting access to biological products.
 Sec. 607. Streamlining the transition of biological products.
 Sec. 608. Reenrollment of certain individuals in qualified health plans in certain Exchanges.
 Sec. 609. Protection of silver loading practice.
 Sec. 610. Actions for delays of generic drugs and biosimilar biological products.

1 Subtitle A—Medicare Provisions

2 SEC. 101. EXTENSION OF THE WORK GEOGRAPHIC INDEX
3 FLOOR UNDER THE MEDICARE PROGRAM.

4 Section 1848(e)(1)(E) of the Social Security Act (42
 5 U.S.C. 1395w-4(e)(1)(E)) is amended by striking “Janu-
 6 ary 1, 2020” and inserting “May 23, 2020”.

7 SEC. 102. EXTENSION OF FUNDING FOR QUALITY MEASURE
8 ENDORSEMENT, INPUT, AND SELECTION.

9 (a) IN GENERAL.—Section 1890(d)(2) of the Social
 10 Security Act (42 U.S.C. 1395aaa(d)(2)) is amended—

11 (1) in the first sentence, by striking
 12 “\$1,665,000 for the period beginning on October 1,
 13 2019, and ending on December 20, 2019” and in-
 14 serting “\$4,830,000 for the period beginning on Oc-
 15 tober 1, 2019, and ending on May 22, 2020”; and

16 (2) in the third sentence, by striking “Decem-
 17 ber 20, 2019,” and inserting “May 22, 2020”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall take effect as if included in the enact-
3 ment of the Further Continuing Appropriations Act, 2020,
4 and Further Health Extenders Act of 2019 (Public Law
5 116–69).

6 **SEC. 103. EXTENSION OF FUNDING OUTREACH AND ASSIST-**
7 **ANCE FOR LOW-INCOME PROGRAMS.**

8 (a) ADDITIONAL FUNDING FOR STATE HEALTH IN-
9 SURANCE PROGRAMS.—Subsection (a)(1)(B) of section
10 119 of the Medicare Improvements for Patients and Pro-
11 viders Act of 2008 (42 U.S.C. 1395b–3 note), as amended
12 by section 3306 of the Patient Protection and Affordable
13 Care Act (Public Law 111–148), section 610 of the Amer-
14 ican Taxpayer Relief Act of 2012 (Public Law 112–240),
15 section 1110 of the Pathway for SGR Reform Act of 2013
16 (Public Law 113–67), section 110 of the Protecting Ac-
17 cess to Medicare Act of 2014 (Public Law 113–93), sec-
18 tion 208 of the Medicare Access and CHIP Reauthoriza-
19 tion Act of 2015 (Public Law 114–10), section 50207 of
20 division E of the Bipartisan Budget Act of 2018 (Public
21 Law 115–123), section 1402 of the Continuing Appropria-
22 tions Act, 2020, and Health Extenders Act of 2019 (Pub-
23 lic Law 116–59), and section 1402 of the Further Con-
24 tinuing Appropriations Act, 2020, and Further Health

1 Extenders Act of 2019 (Public Law 116–69), is amend-
2 ed—

3 (1) in clause (x), by striking “and” at the end;

4 (2) in clause (xi), by striking the period at the
5 end and inserting “; and”; and

6 (3) by inserting after clause (xi) the following
7 new clause:

8 “(xii) for the period beginning on De-
9 cember 21, 2019, and ending on May 22,
10 2020, of \$5,485,000.”.

11 (b) ADDITIONAL FUNDING FOR AREA AGENCIES ON
12 AGING.—Subsection (b)(1)(B) of such section 119, as so
13 amended, is amended—

14 (1) in clause (x), by striking “and” at the end;

15 (2) in clause (xi), by striking the period at the
16 end and inserting “; and”; and

17 (3) by inserting after clause (xi) the following
18 new clause:

19 “(xii) for the period beginning on De-
20 cember 21, 2019, and ending on May 22,
21 2020, of \$3,165,000.”.

22 (c) ADDITIONAL FUNDING FOR AGING AND DIS-
23 ABILITY RESOURCE CENTERS.—Subsection (c)(1)(B) of
24 such section 119, as so amended, is amended—

25 (1) in clause (x), by striking “and” at the end;

1 (2) in clause (xi), by striking the period at the
2 end and inserting “; and”; and

3 (3) by inserting after clause (xi) the following
4 new clause:

5 “(xii) for the period beginning on De-
6 cember 21, 2019, and ending on May 22,
7 2020, of \$2,110,000.”.

8 (d) **ADDITIONAL FUNDING FOR CONTRACT WITH**
9 **THE NATIONAL CENTER FOR BENEFITS AND OUTREACH**
10 **ENROLLMENT.**—Subsection (d)(2) of such section 119, as
11 so amended, is amended—

12 (1) in clause (x), by striking “and” at the end;

13 (2) in clause (xi), by striking the period at the
14 end and inserting “; and”; and

15 (3) by inserting after clause (xi) the following
16 new clause:

17 “(xii) for the period beginning on De-
18 cember 21, 2019, and ending on May 22,
19 2020, of \$5,063,000.”.

20 **SEC. 104. EXTENSION OF APPROPRIATIONS TO THE PA-**
21 **TIENT-CENTERED OUTCOMES RESEARCH**
22 **TRUST FUND; EXTENSION OF CERTAIN**
23 **HEALTH INSURANCE FEES.**

24 (a) **IN GENERAL.**—Section 9511 of the Internal Rev-
25 enue Code of 1986 is amended—

1 (1) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) by inserting after subparagraph

4 (E) the following new subparagraph:

5 “(F) For each of fiscal years 2020 through
6 2029—

7 “(i) an amount equivalent to the net
8 revenues received in the Treasury from the
9 fees imposed under subchapter B of chap-
10 ter 34 (relating to fees on health insurance
11 and self-insured plans) for such fiscal year;
12 and

13 “(ii) the applicable amount (as de-
14 fined in paragraph (4)) for the fiscal
15 year.”; and

16 (ii) by striking “and (E)(ii)” in the
17 last sentence and inserting “(E)(ii), and
18 (F)(ii)”;

19 (B) by adding at the end the following new
20 paragraph:

21 “(4) APPLICABLE AMOUNT DEFINED.—In para-
22 graph (1)(F)(ii), the term ‘applicable amount’
23 means—

24 “(A) for fiscal year 2020, \$275,500,000;

25 “(B) for fiscal year 2021, \$285,000,000;

1 “(C) for fiscal year 2022, \$293,500,000;
2 “(D) for fiscal year 2023, \$311,500,000;
3 “(E) for fiscal year 2024, \$320,000,000;
4 “(F) for fiscal year 2025, \$338,000,000;
5 “(G) for fiscal year 2026, \$355,500,000;
6 “(H) for fiscal year 2027, \$363,500,000;
7 “(I) for fiscal year 2028, \$381,000,000;

8 and

9 “(J) for fiscal year 2029, \$399,000,000.”;

10 (2) in subsection (d)(2)(A), by striking “2019”

11 and inserting “2029”; and

12 (3) in subsection (f), by striking “December 20,
13 2019” and inserting “September 30, 2029”.

14 (b) HEALTH INSURANCE POLICIES.—Section
15 4375(e) of the Internal Revenue Code of 1986 is amended
16 by striking “2019” and inserting “2029”.

17 (c) SELF-INSURED HEALTH PLANS.—Section
18 4376(e) of the Internal Revenue Code of 1986 is amended
19 by striking “2019” and inserting “2029”.

20 (d) IDENTIFICATION OF RESEARCH PRIORITIES.—

21 Subsection (d)(1)(A) of section 1181 of the Social Secu-
22 rity Act (42 U.S.C. 1320e) is amended by adding at the
23 end the following: “Such national priorities shall include
24 research with respect to intellectual and developmental
25 disabilities and maternal mortality. Such priorities should

1 reflect a balance between long-term priorities and short-
2 term priorities, and be responsive to changes in medical
3 evidence and in health care treatments.”.

4 (e) CONSIDERATION OF FULL RANGE OF OUTCOMES
5 DATA.—Subsection (d)(2) of such section 1181 is amend-
6 ed by adding at the end the following subparagraph:

7 “(F) CONSIDERATION OF FULL RANGE OF
8 OUTCOMES DATA.—Research shall be designed,
9 as appropriate, to take into account and cap-
10 ture the full range of clinical and patient-cen-
11 tered outcomes relevant to, and that meet the
12 needs of, patients, clinicians, purchasers, and
13 policy-makers in making informed health deci-
14 sions. In addition to the relative health out-
15 comes and clinical effectiveness, clinical and pa-
16 tient-centered outcomes shall include the poten-
17 tial burdens and economic impacts of the utili-
18 zation of medical treatments, items, and serv-
19 ices on different stakeholders and decision-mak-
20 ers respectively. These potential burdens and
21 economic impacts include medical out-of-pocket
22 costs, including health plan benefit and for-
23 mulary design, non-medical costs to the patient
24 and family, including caregiving, effects on fu-

1 ture costs of care, workplace productivity and
2 absenteeism, and healthcare utilization.”.

3 (f) BOARD COMPOSITION.—Subsection (f) of such
4 section 1181 is amended—

5 (1) in paragraph (1)—

6 (A) in subparagraph (C)—

7 (i) in the matter preceding clause

8 (i)—

9 (I) by striking “Seventeen” and
10 inserting “At least nineteen, but no
11 more than twenty-one”; and

12 (II) by striking “, not later than
13 6 months after the date of enactment
14 of this section,”; and

15 (ii) in clause (iii), by striking “3” and
16 inserting “at least 3, but no more than 5”;
17 and

18 (2) in paragraph (3)—

19 (A) in the first sentence—

20 (i) by striking the “the members” and
21 inserting “members”; and

22 (ii) by inserting the following before
23 the period at the end: “to the extent nec-
24 essary to preserve the evenly staggered
25 terms of the Board.”; and

1 (B) by inserting the following after the
2 first sentence: “Any member appointed to fill a
3 vacancy occurring before the expiration of the
4 term for which the member’s predecessor was
5 appointed shall be appointed for the remainder
6 of that term and thereafter may be eligible for
7 reappointment to a full term. A member may
8 serve after the expiration of that member’s
9 term until a successor has been appointed.”.

10 (g) **METHODOLOGY COMMITTEE APPOINTMENTS.**—

11 Such section 1181 is amended—

12 (1) in subsection (d)(6)(B), by striking “Comp-
13 troller General of the United States” and inserting
14 “Board”; and

15 (2) in subsection (h)(4)—

16 (A) in subparagraph (A)(ii), by striking
17 “Comptroller General” and inserting “Board”;
18 and

19 (B) in the first sentence of subparagraph
20 (B), by striking “and of the Government Ac-
21 countability Office”.

22 (h) **REPORTS BY THE COMPTROLLER GENERAL OF**
23 **THE UNITED STATES.**—Subsection (g)(2)(A) of such sec-
24 tion 1181 is amended—

1 (1) by striking clause (iv) and inserting the fol-
2 lowing:

3 “(iv) Not less frequently than every 5
4 years, the overall effectiveness of activities
5 conducted under this section and the dis-
6 semination, training, and capacity building
7 activities conducted under section 937 of
8 the Public Health Service Act. Such review
9 shall include the following:

10 “(I) A description of those activi-
11 ties and the financial commitments re-
12 lated to research, training, data ca-
13 pacity building, and dissemination and
14 uptake of research findings.

15 “(II) The extent to which the In-
16 stitute and the Agency for Healthcare
17 Research and Quality have collabo-
18 rated with stakeholders, including pro-
19 vider and payer organizations, to fa-
20 cilitate the dissemination and uptake
21 of research findings.

22 “(III) An analysis of available
23 data and performance metrics, such
24 as the estimated public availability
25 and dissemination of research findings

1 and uptake and utilization of research
2 findings in clinical guidelines and de-
3 cision support tools, on the extent to
4 which such research findings are used
5 by health care decision-makers, the ef-
6 fect of the dissemination of such find-
7 ings on changes in medical practice
8 and reducing practice variation and
9 disparities in health care, and the ef-
10 fect of the research conducted and
11 disseminated on innovation and the
12 health care economy of the United
13 States.”; and

14 (2) by adding at the end the following new
15 clause:

16 “(vi) Not less frequently than every 5
17 years, any barriers that researchers funded
18 by the Institute have encountered in con-
19 ducting studies or clinical trials, including
20 challenges covering the cost of any medical
21 treatments, services, and items described
22 in subsection (a)(2)(B) for purposes of the
23 research study.”.

1 **SEC. 105. LABORATORY ACCESS FOR BENEFICIARIES.**

2 (a) AMENDMENTS RELATING TO REPORTING RE-
3 QUIREMENTS WITH RESPECT TO CLINICAL DIAGNOSTIC
4 LABORATORY TESTS.—

5 (1) REVISED REPORTING PERIOD FOR REPORT-
6 ING OF PRIVATE SECTOR PAYMENT RATES FOR ES-
7 TABLISHMENT OF MEDICARE PAYMENT RATES.—
8 Section 1834A(a) of the Social Security Act (42
9 U.S.C. 1395m–1(a)) is amended—

10 (A) in paragraph (1)—

11 (i) by striking “Beginning January 1,
12 2016” and inserting the following:

13 “(A) GENERAL REPORTING REQUIRE-
14 MENTS.—Subject to subparagraph (B), begin-
15 ning January 1, 2016”;

16 (ii) in subparagraph (A), as added by
17 subparagraph (A) of this paragraph, by in-
18 serting “(referred to in this subsection as
19 the ‘reporting period’)” after “at a time
20 specified by the Secretary”; and

21 (iii) by adding at the end the fol-
22 lowing:

23 “(B) REVISED REPORTING PERIOD.—In
24 the case of reporting with respect to clinical di-
25 agnostic laboratory tests that are not advanced
26 diagnostic laboratory tests, the Secretary shall

1 revise the reporting period under subparagraph
2 (A) such that—

3 “(i) no reporting is required during
4 the period beginning January 1, 2020, and
5 ending December 31, 2020;

6 “(ii) reporting is required during the
7 period beginning January 1, 2021, and
8 ending March 31, 2021; and

9 “(iii) reporting is required every three
10 years after the period described in clause
11 (ii).”; and

12 (B) in paragraph (4)—

13 (i) by striking “In this section” and
14 inserting the following:

15 “(A) IN GENERAL.—Subject to subpara-
16 graph (B), in this section”; and

17 (ii) by adding at the end the fol-
18 lowing:

19 “(B) EXCEPTION.—In the case of the re-
20 porting period described in paragraph (1)(B)(ii)
21 with respect to clinical diagnostic laboratory
22 tests that are not advanced diagnostic labora-
23 tory tests, the term ‘data collection period’
24 means the period beginning January 1, 2019,
25 and ending June 30, 2019.”.

1 (2) CORRECTIONS RELATING TO PHASE-IN OF
2 REDUCTIONS FROM PRIVATE PAYOR RATE IMPLE-
3 MENTATION.—Section 1834A(b)(3) of the Social Se-
4 curity Act (42 U.S.C. 1395m–1(b)(3)) is amended—

5 (A) in subparagraph (A), by striking
6 “through 2022” and inserting “through 2023”;
7 and

8 (B) in subparagraph (B)—

9 (i) in clause (i), by striking “through
10 2019” and inserting “through 2020”; and

11 (ii) in clause (ii), by striking “2020
12 through 2022” and inserting “2021
13 through 2023”.

14 (b) STUDY AND REPORT BY MEDPAC.—

15 (1) IN GENERAL.—The Medicare Payment Ad-
16 visory Commission (in this subsection referred to as
17 the “Commission”) shall conduct a study to review
18 the methodology the Administrator of the Centers
19 for Medicare & Medicaid Services has implemented
20 for the private payor rate-based clinical laboratory
21 fee schedule under the Medicare program under title
22 XVIII of the Social Security Act (42 U.S.C. 1395 et
23 seq.).

1 (2) SCOPE OF STUDY.—In carrying out the
2 study described in paragraph (1), the Commission
3 shall consider the following:

4 (A) How best to implement the least bur-
5 densome data collection process required under
6 section 1834A(a)(1) of such Act (42 U.S.C.
7 1395m–1(a)(1)) that would—

8 (i) result in a representative and sta-
9 tistically valid data sample of private mar-
10 ket rates from all laboratory market seg-
11 ments, including hospital outreach labora-
12 tories, physician office laboratories, and
13 independent laboratories; and

14 (ii) consider the variability of private
15 payor payment rates across market seg-
16 ments.

17 (B) Appropriate statistical methods for es-
18 timating rates that are representative of the
19 market.

20 (3) REPORT TO CONGRESS.—Not later than 18
21 months after the date of the enactment of this Act,
22 the Commission shall submit to the Administrator,
23 the Committee on Finance of the Senate, and the
24 Committees on Ways and Means and Energy and

1 Commerce of the House of Representatives a report
2 that includes—

3 (A) conclusions about the methodology de-
4 scribed in paragraph (1); and

5 (B) any recommendations the Commission
6 deems appropriate.

7 **SEC. 106. EXCLUSION OF COMPLEX REHABILITATIVE MAN-**
8 **UAL WHEELCHAIRS FROM MEDICARE COM-**
9 **PETITIVE ACQUISITION PROGRAM; NON-AP-**
10 **PLICATION OF MEDICARE FEE-SCHEDULE**
11 **ADJUSTMENTS FOR CERTAIN WHEELCHAIR**
12 **ACCESSORIES AND CUSHIONS.**

13 (a) EXCLUSION OF COMPLEX REHABILITATIVE MAN-
14 UAL WHEELCHAIRS FROM COMPETITIVE ACQUISITION
15 PROGRAM.—Section 1847(a)(2)(A) of the Social Security
16 Act (42 U.S.C. 1395w–3(a)(2)(A)) is amended—

17 (1) by inserting “, complex rehabilitative man-
18 ual wheelchairs (as determined by the Secretary),
19 and certain manual wheelchairs (identified, as of Oc-
20 tober 1, 2018, by HCPCS codes E1235, E1236,
21 E1237, E1238, and K0008 or any successor to such
22 codes)” after “group 3 or higher”; and

23 (2) by striking “such wheelchairs” and insert-
24 ing “such complex rehabilitative power wheelchairs,

1 complex rehabilitative manual wheelchairs, and cer-
2 tain manual wheelchairs”.

3 (b) NON-APPLICATION OF MEDICARE FEE SCHED-
4 ULE ADJUSTMENTS FOR WHEELCHAIR ACCESSORIES AND
5 SEAT AND BACK CUSHIONS WHEN FURNISHED IN CON-
6 NECTION WITH COMPLEX REHABILITATIVE MANUAL
7 WHEELCHAIRS.—

8 (1) IN GENERAL.—Notwithstanding any other
9 provision of law, the Secretary of Health and
10 Human Services shall not, during the period begin-
11 ning on January 1, 2020, and ending on June 30,
12 2021, use information on the payment determined
13 under the competitive acquisition programs under
14 section 1847 of the Social Security Act (42 U.S.C.
15 1395w–3) to adjust the payment amount that would
16 otherwise be recognized under section
17 1834(a)(1)(B)(ii) of such Act (42 U.S.C.
18 1395m(a)(1)(B)(ii)) for wheelchair accessories (in-
19 cluding seating systems) and seat and back cushions
20 when furnished in connection with complex rehabili-
21 tative manual wheelchairs (as determined by the
22 Secretary), and certain manual wheelchairs (identi-
23 fied, as of October 1, 2018, by HCPCS codes
24 E1235, E1236, E1237, E1238, and K0008 or any
25 successor to such codes).

1 (2) IMPLEMENTATION.—Notwithstanding any
2 other provision of law, the Secretary may implement
3 this subsection by program instruction or otherwise.

4 **SEC. 107. EXTENDING PASS-THROUGH STATUS FOR CER-**
5 **TAIN DRUGS UNDER PART B OF THE MEDI-**
6 **CARE PROGRAM.**

7 (a) IN GENERAL.—Section 1833(t)(6) of the Social
8 Security Act (42 U.S.C. 1395l(t)(6)) is amended—

9 (1) in subparagraph (E)(i), by striking “2018”
10 and inserting “2018 or 2020”; and

11 (2) by adding at the end the following new sub-
12 paragraph:

13 “(J) ADDITIONAL PASS-THROUGH EXTEN-
14 SION AND SPECIAL PAYMENT ADJUSTMENT
15 RULE FOR CERTAIN DIAGNOSTIC RADIOPHARMA-
16 CEUTICALS.—In the case of a drug or biological
17 furnished in the context of a clinical study on
18 diagnostic imaging tests approved under a cov-
19 erage with evidence development determination
20 whose period of pass-through status under this
21 paragraph concluded on December 31, 2018,
22 and for which payment under this subsection
23 was packaged into a payment for a covered
24 OPD service (or group of services) furnished

1 beginning January 1, 2019, the Secretary
2 shall—

3 “(i) extend such pass-through status
4 for such drug or biological for the 9-month
5 period beginning on January 1, 2020;

6 “(ii) remove, during such period, the
7 packaged costs of such drug or biological
8 (as determined by the Secretary) from the
9 payment amount under this subsection for
10 the covered OPD service (or group of serv-
11 ices) with which it is packaged; and

12 “(iii) not make any adjustments to
13 payment amounts under this subsection for
14 a covered OPD service (or group of serv-
15 ices) for which no costs were removed
16 under clause (ii).”.

17 (b) IMPLEMENTATION.—Notwithstanding any other
18 provision of law, the Secretary of Health and Human
19 Service may implement the amendments made by sub-
20 section (a) by program instruction or otherwise.

21 **SEC. 108. HEMATOPOIETIC STEM CELL ACQUISITION PAY-**
22 **MENTS.**

23 Section 1886 of the Social Security Act (42 U.S.C.
24 1395ww) is amended—

1 (1) in subsection (a)(4), in the second sentence,
2 by inserting “for cost reporting periods beginning on
3 or after October 1, 2020, costs related to
4 hematopoietic stem cell acquisition for the purpose
5 of an allogeneic hematopoietic stem cell transplant
6 (as described in subsection (d)(5)(M)),” after “Octo-
7 ber 1, 1987),”;

8 (2) in subsection (d)—

9 (A) in paragraph (4)(C)(iii)—

10 (i) by inserting “or payments under
11 paragraph (5)(M) (beginning with fiscal
12 year 2021)” after “fiscal year 1991”;

13 (ii) by inserting “or payments under
14 paragraph (5)(M)” before the period at the
15 end; and

16 (B) in paragraph (5), by adding at the end
17 the following new subparagraph:

18 “(M)(i) For cost reporting periods beginning on or
19 after October 1, 2020, in the case of a subsection (d) hos-
20 pital that furnishes an allogeneic hematopoietic stem cell
21 transplant to an individual during such a period, payment
22 to such hospital for hematopoietic stem cell acquisition
23 shall be made on a reasonable cost basis. The items in-
24 cluded in such hematopoietic stem cell acquisition shall be
25 specified by the Secretary through rulemaking.

1 Patient Protection and Affordable Care Act and
2 paragraphs (3) and (5)”;

3 (B) in subparagraph (A)—

4 (i) by striking “Puerto Rico shall not
5 exceed the sum of” and inserting “Puerto
6 Rico shall not exceed—

7 “(i) except as provided in clause (ii),
8 the sum of”;

9 (ii) by striking “\$100,000;” and in-
10 sserting “\$100,000; and”; and

11 (iii) by adding at the end the fol-
12 lowing new clause:

13 “(ii) for each of fiscal years 2020
14 through 2021, the amount specified in
15 paragraph (6) for each such fiscal year;”;

16 (C) in subparagraph (B)—

17 (i) by striking “the Virgin Islands
18 shall not exceed the sum of” and inserting
19 “the Virgin Islands shall not exceed—

20 “(i) except as provided in clause (ii),
21 the sum of”;

22 (ii) by striking “\$10,000;” and insert-
23 ing “\$10,000; and”; and

24 (iii) by adding at the end the fol-
25 lowing new clause:

1 “(ii) for each of fiscal years 2020
2 through 2021, \$126,000,000;”;

3 (D) in subparagraph (C)—

4 (i) by striking “Guam shall not exceed
5 the sum of” and inserting “Guam shall not
6 exceed—

7 “(i) except as provided in clause (ii),
8 the sum of”;

9 (ii) by striking “\$10,000;” and insert-
10 ing “\$10,000; and”; and

11 (iii) by adding at the end the fol-
12 lowing new clause:

13 “(ii) for each of fiscal years 2020
14 through 2021, \$127,000,000;”;

15 (E) in subparagraph (D)—

16 (i) by striking “the Northern Mariana
17 Islands shall not exceed the sum of” and
18 inserting “the Northern Mariana Islands
19 shall not exceed—

20 “(i) except as provided in clause (ii),
21 the sum of”; and

22 (ii) by adding at the end the following
23 new clause:

24 “(ii) for each of fiscal years 2020
25 through 2021, \$60,000,000; and”;

1 (F) in subparagraph (E)—

2 (i) by striking “American Samoa shall
3 not exceed the sum of” and inserting
4 “American Samoa shall not exceed—

5 “(i) except as provided in clause (ii),
6 the sum of”;

7 (ii) by striking “\$10,000.” and insert-
8 ing “\$10,000; and”; and

9 (iii) by adding at the end the fol-
10 lowing new clause:

11 “(ii) for each of fiscal years 2020
12 through 2021, \$84,000,000.”; and

13 (G) by adding at the end the following
14 flush sentence:

15 “For each fiscal year after fiscal year 2021, the
16 total amount certified for Puerto Rico, the Virgin Is-
17 lands, Guam, the Northern Mariana Islands, and
18 American Samoa under subsection (f) and this sub-
19 section for the fiscal year shall be determined as if
20 the preceding subparagraphs were applied to each of
21 fiscal years 2020 through 2021 without regard to
22 clause (ii) of each such subparagraph.”; and

23 (2) by adding at the end the following new
24 paragraphs:

1 “(6) APPLICATION TO PUERTO RICO FOR FIS-
2 CAL YEARS 2020 THROUGH 2021.—

3 “(A) IN GENERAL.—Subject to subpara-
4 graph (B), the amount specified in this para-
5 graph is—

6 “(i) for fiscal year 2020,
7 \$2,623,188,000; and

8 “(ii) for fiscal year 2021,
9 \$2,719,072,000.

10 “(B) ADDITIONAL INCREASE FOR PUERTO
11 RICO.—

12 “(i) IN GENERAL.—For each of fiscal
13 years 2020 through 2021, the amount
14 specified in this paragraph for the fiscal
15 year shall be equal to the amount specified
16 for such fiscal year under subparagraph
17 (A) increased by \$200,000,000 if the Sec-
18 retary certifies that, with respect to such
19 fiscal year, Puerto Rico’s State plan under
20 title XIX (or a waiver of such plan) estab-
21 lishes a reimbursement floor, implemented
22 through a directed payment arrangement
23 plan, for physician services that are cov-
24 ered under the Medicare part B fee sched-
25 ule in the Puerto Rico locality established

1 under section 1848(b) that is not less than
2 70 percent of the payment that would
3 apply to such services if they were fur-
4 nished under part B of title XVIII during
5 such fiscal year.

6 “(ii) APPLICATION TO MANAGED
7 CARE.—In certifying whether Puerto Rico
8 has established a reimbursement floor
9 under a directed payment arrangement
10 plan that satisfies the requirements of
11 clause (i)—

12 “(I) for fiscal year 2020, the Sec-
13 retary shall apply such requirements
14 to payments for physician services
15 under a managed care contract en-
16 tered into or renewed after the date of
17 enactment of this paragraph and dis-
18 regard payments for physician serv-
19 ices under any managed care contract
20 that was entered into prior to such
21 date; and

22 “(II) for each of fiscal years
23 2020 through 2021—

24 “(aa) the Secretary shall
25 disregard payments made under

1 sub-capitated arrangements for
2 services such as primary care
3 case management; and

4 “(bb) if the reimbursement
5 floor for physician services appli-
6 cable under a managed care con-
7 tract satisfies the requirements of
8 clause (i) for the fiscal year in
9 which the contract is entered into
10 or renewed, such reimbursement
11 floor shall be deemed to satisfy
12 such requirements for the subse-
13 quent fiscal year.

14 “(7) PUERTO RICO PROGRAM INTEGRITY RE-
15 QUIREMENTS.—

16 “(A) IN GENERAL.—

17 “(i) PROGRAM INTEGRITY LEAD.—
18 Not later than 6 months after the date of
19 enactment of this paragraph, the agency
20 responsible for the administration of Puer-
21 to Rico’s Medicaid program under title
22 XIX shall designate an officer (other than
23 the director of such agency) to serve as the
24 Program Integrity Lead for such program.

1 “(ii) PERM REQUIREMENT.—Not
2 later than 18 months after the date of en-
3 actment of this paragraph, Puerto Rico
4 shall publish a plan, developed by Puerto
5 Rico in coordination with the Adminis-
6 trator of the Centers for Medicare & Med-
7 icaid Services and approved by the Admin-
8 istrator, for how Puerto Rico will develop
9 measures to satisfy the payment error rate
10 measurement (PERM) requirements under
11 subpart Q of part 431 of title 42, Code of
12 Federal Regulations (or any successor reg-
13 ulation).

14 “(iii) CONTRACTING REFORM.—Not
15 later than 12 months after the date of en-
16 actment of this paragraph, Puerto Rico
17 shall publish a contracting reform plan to
18 combat fraudulent, wasteful, or abusive
19 contracts under Puerto Rico’s Medicaid
20 program under title XIX that includes—

21 “(I) metrics for evaluating the
22 success of the plan; and

23 “(II) a schedule for publicly re-
24 leasing status reports on the plan.

1 “(iv) MEQC.—Not later than 18
2 months after the date of enactment of this
3 paragraph, Puerto Rico shall publish a
4 plan, developed by Puerto Rico in coordi-
5 nation with the Administrator of the Cen-
6 ters for Medicare & Medicaid Services and
7 approved by the Administrator, for how
8 Puerto Rico will comply with the Medicaid
9 eligibility quality control (MEQC) require-
10 ments of subpart P of part 431 of title 42,
11 Code of Federal Regulations (or any suc-
12 cessor regulation).

13 “(B) FMAP REDUCTION FOR FAILURE TO
14 MEET ADDITIONAL REQUIREMENTS.—

15 “(i) IN GENERAL.—For each fiscal
16 quarter during the period beginning on
17 January 1, 2020, and ending on Sep-
18 tember 30, 2021:

19 “(I) For every clause under sub-
20 paragraph (A) with respect to which
21 Puerto Rico does not fully satisfy the
22 requirements described in the clause
23 (including requirements imposed
24 under the terms of a plan described in
25 the clause) in the fiscal quarter, the

1 Federal medical assistance percentage
2 applicable to Puerto Rico under sec-
3 tion 1905(ff) shall be reduced by the
4 number of percentage points deter-
5 mined for the clause and fiscal quar-
6 ter under subclause (II).

7 “(II) The number of percentage
8 points determined under this sub-
9 clause with respect to a clause under
10 subparagraph (A) and a fiscal quarter
11 shall be the number of percentage
12 points (not to exceed 2.5 percentage
13 points) equal to—

14 “(aa) 0.25 percentage
15 points; multiplied by

16 “(bb) the total number of
17 consecutive fiscal quarters for
18 which Puerto Rico has not fully
19 satisfied the requirements de-
20 scribed in such clause.

21 “(ii) EXCEPTION FOR EXTENUATING
22 CIRCUMSTANCES OR REASONABLE
23 PROGRESS.—For purposes of clause (i),
24 Puerto Rico shall be deemed to have fully
25 satisfied the requirements of a clause

1 under subparagraph (A) (including re-
2 quirements imposed under the terms of a
3 plan described in the clause) for a fiscal
4 quarter if—

5 “(I) the Secretary approves an
6 application from Puerto Rico describ-
7 ing extenuating circumstances that
8 prevented Puerto Rico from fully sat-
9 isfying the requirements of the clause;
10 or

11 “(II) in the case of a requirement
12 imposed under the terms of a plan de-
13 scribed in a clause under subpara-
14 graph (A), Puerto Rico has made ob-
15 jectively reasonable progress towards
16 satisfying such terms and has sub-
17 mitted a timely request for an excep-
18 tion to the imposition of a penalty to
19 the Secretary.

20 “(8) PROGRAM INTEGRITY LEAD REQUIREMENT
21 FOR THE VIRGIN ISLANDS, GUAM, THE NORTHERN
22 MARIANA ISLANDS, AND AMERICAN SAMOA.—

23 “(A) PROGRAM INTEGRITY LEAD REQUIRE-
24 MENT.—Not later than October 1, 2020, the
25 agency responsible for the administration of the

1 Medicaid program under title XIX of each terri-
2 tory specified in subparagraph (C) shall des-
3 ignate an officer (other than the director of
4 such agency) to serve as the Program Integrity
5 Lead for such program.

6 “(B) FMAP REDUCTION.—For each fiscal
7 quarter during fiscal year 2021, if the territory
8 fails to satisfy the requirement of subparagraph
9 (A) for the fiscal quarter, the Federal medical
10 assistance percentage applicable to the territory
11 under section 1905(ff) for such fiscal quarter
12 shall be reduced by the number of percentage
13 points (not to exceed 5 percentage points) equal
14 to—

15 “(i) 0.25 percentage points; multiplied
16 by
17 “(ii) the total number of fiscal quar-
18 ters during the fiscal year in which the ter-
19 ritory failed to satisfy such requirement.

20 “(C) SCOPE.—This paragraph shall apply
21 to the Virgin Islands, Guam, the Northern Mar-
22 iana Islands, and American Samoa.”.

23 (b) TREATMENT OF FUNDING UNDER ENHANCED
24 ALLOTMENT PROGRAM.—Section 1935(e) of the Social
25 Security Act (42 U.S.C. 1396u–5(e)) is amended—

1 (1) in paragraph (1)(B), by striking “if the
2 State” and inserting “subject to paragraph (4), if
3 the State”;

4 (2) by redesignating paragraph (4) as para-
5 graph (5); and

6 (3) by inserting after paragraph (3) the fol-
7 lowing new paragraph:

8 “(4) TREATMENT OF FUNDING FOR CERTAIN
9 FISCAL YEARS.—Notwithstanding paragraph (1)(B),
10 in the case that Puerto Rico, the Virgin Islands,
11 Guam, the Northern Mariana Islands, or American
12 Samoa establishes and submits to the Secretary a
13 plan described in paragraph (2) with respect to any
14 of fiscal years 2020 through 2021, the amount spec-
15 ified for such a year in paragraph (3) for Puerto
16 Rico, the Virgin Islands, Guam, the Northern Mar-
17 iana Islands, or American Samoa, as the case may
18 be, shall be taken into account in applying, as appli-
19 cable, subparagraph (A)(ii), (B)(ii), (C)(ii), (D)(ii),
20 or (E)(ii) of section 1108(g)(2) for such year.”.

21 (c) INCREASED FMAP.—Subsection (ff) of section
22 1905 of the Social Security Act (42 U.S.C. 1396d) is
23 amended to read as follows:

1 “(ff) TEMPORARY INCREASE IN FMAP FOR TERRI-
2 TORIES FOR CERTAIN FISCAL YEARS.—Notwithstanding
3 subsection (b) or (z)(2)—

4 “(1) for the period beginning October 1, 2019,
5 and ending December 20, 2019, the Federal medical
6 assistance percentage for Puerto Rico, the Virgin Is-
7 lands, Guam, the Northern Mariana Islands, and
8 American Samoa shall be equal to 100 percent;

9 “(2) subject to section 1108(g)(7)(C), for the
10 period beginning December 21, 2019, and ending
11 September 30, 2021, the Federal medical assistance
12 percentage for Puerto Rico shall be equal to 76 per-
13 cent; and

14 “(3) subject to section 1108(g)(8)(B), for the
15 period beginning December 21, 2019, and ending
16 September 30, 2021, the Federal medical assistance
17 percentage for the Virgin Islands, Guam, the North-
18 ern Mariana Islands, and American Samoa shall be
19 equal to 83 percent.”.

20 (d) ANNUAL REPORT.—Section 1108(g) of the Social
21 Security Act (42 U.S.C. 1308(g)), as amended by sub-
22 section (a), is further amended by adding at the end the
23 following new paragraph:

24 “(9) ANNUAL REPORT.—

1 “(A) IN GENERAL.—Not later than the
2 date that is 30 days after the end of each fiscal
3 year (beginning with fiscal year 2020 and end-
4 ing with fiscal year 2021), in the case that a
5 specified territory receives a Medicaid cap in-
6 crease, or an increase in the Federal medical
7 assistance percentage for such territory under
8 section 1905(ff), for such fiscal year, such terri-
9 tory shall submit to the Chair and Ranking
10 Member of the Committee on Energy and Com-
11 merce of the House of Representatives and the
12 Chair and Ranking Member of the Committee
13 on Finance of the Senate a report, employing
14 the most up-to-date information available, that
15 describes how such territory has used such
16 Medicaid cap increase, or such increase in the
17 Federal medical assistance percentage, as appli-
18 cable, to increase access to health care under
19 the State Medicaid plan of such territory under
20 title XIX (or a waiver of such plan). Such re-
21 port may include—

22 “(i) the extent to which such territory
23 has, with respect to such plan (or waiv-
24 er)—

1 “(I) increased payments to health
2 care providers;

3 “(II) increased covered benefits;

4 “(III) expanded health care pro-
5 vider networks; or

6 “(IV) improved in any other
7 manner the carrying out of such plan
8 (or waiver); and

9 “(ii) any other information as deter-
10 mined necessary by such territory.

11 “(B) DEFINITIONS.—In this paragraph:

12 “(i) MEDICAID CAP INCREASE.—The
13 term ‘Medicaid cap increase’ means, with
14 respect to a specified territory and fiscal
15 year, any increase in the amounts other-
16 wise determined under this subsection for
17 such territory for such fiscal year by rea-
18 son of the amendments made by section
19 202 of division N of the Further Consoli-
20 dated Appropriations Act, 2020.

21 “(ii) SPECIFIED TERRITORY.—The
22 term ‘specified territory’ means Puerto
23 Rico, the Virgin Islands, Guam, the North-
24 ern Mariana Islands, and American
25 Samoa.”.

1 (e) APPLICATION OF CERTAIN DATA REPORTING
2 AND PROGRAM INTEGRITY REQUIREMENTS TO NORTH-
3 ERN MARIANA ISLANDS, AMERICAN SAMOA, AND GUAM.—

4 (1) IN GENERAL.—Section 1902 of the Social
5 Security Act (42 U.S.C. 1396a) is amended by add-
6 ing at the end the following new subsection:

7 “(qq) APPLICATION OF CERTAIN DATA REPORTING
8 AND PROGRAM INTEGRITY REQUIREMENTS TO NORTH-
9 ERN MARIANA ISLANDS, AMERICAN SAMOA, AND GUAM.—

10 “(1) IN GENERAL.—Not later than October 1,
11 2021, the Northern Mariana Islands, American
12 Samoa, and Guam shall—

13 “(A) demonstrate progress in imple-
14 menting methods, satisfactory to the Secretary,
15 for the collection and reporting of reliable data
16 to the Transformed Medicaid Statistical Infor-
17 mation System (T–MSIS) (or a successor sys-
18 tem); and

19 “(B) demonstrate progress in establishing
20 a State medicaid fraud control unit described in
21 section 1903(q).

22 “(2) DETERMINATION OF PROGRESS.—For pur-
23 poses of paragraph (1), the Secretary shall deem
24 that a territory described in such paragraph has
25 demonstrated satisfactory progress in implementing

1 methods for the collection and reporting of reliable
2 data or establishing a State medicaid fraud control
3 unit if the territory has made a good faith effort to
4 implement such methods or establish such a unit,
5 given the circumstances of the territory.”.

6 (2) CONFORMING AMENDMENT.—Section
7 1902(j) of the Social Security Act (42 U.S.C.
8 1396a(j)) is amended—

9 (A) by striking “or the requirement” and
10 inserting “, the requirement”; and

11 (B) by inserting before the period at the
12 end the following: “, or the requirement under
13 subsection (qq)(1) (relating to data reporting)”.

14 (3) REEVALUATION OF WAIVERS OF MEDICAID
15 FRAUD CONTROL UNIT REQUIREMENT.—

16 (A) IN GENERAL.—Not later than the date
17 that is 1 year after the date of enactment of
18 this Act, the Secretary of Health and Human
19 Services shall reevaluate any waiver approved
20 (and in effect as of the date of enactment of
21 this Act) for Guam, the Northern Mariana Is-
22 lands, or American Samoa under subsection
23 (a)(61) or subsection (j) of section 1902 of the
24 Social Security Act (42 U.S.C.1396a) with re-
25 spect to the requirement to establish a State

1 medicaid fraud control unit (as described in
2 section 1903(q) of such Act (42 U.S.C.
3 1396b(q))).

4 (B) RULE OF CONSTRUCTION.—Nothing in
5 this paragraph shall be construed as requiring
6 the Secretary of Health and Human Services to
7 terminate or refuse to extend a waiver described
8 in subparagraph (A).

9 (f) ADDITIONAL PROGRAM INTEGRITY REQUIRE-
10 MENTS.—

11 (1) DEFINITIONS.—In this subsection:

12 (A) INSPECTOR GENERAL.—The term “In-
13 specter General” means the Inspector General
14 of the Department of Health and Human Serv-
15 ices.

16 (B) PUERTO RICO’S MEDICAID PRO-
17 GRAM.—The term “Puerto Rico’s Medicaid pro-
18 gram” means, collectively, Puerto Rico’s State
19 plan under title XIX of the Social Security Act
20 (42 U.S.C. 1396 et seq.) and any waiver of
21 such plan.

22 (2) REPORT ON CONTRACTING OVERSIGHT AND
23 APPROVAL.—Not later than 1 year after the date of
24 enactment of this Act, the Comptroller General of
25 the United States shall issue, and submit to the

1 Chair and Ranking Member of the Committee on
2 Energy and Commerce of the House of Representa-
3 tives and the Chair and Ranking Member of the
4 Committee on Finance of the Senate, a report on
5 contracting oversight and approval with respect to
6 Puerto Rico's State plan under title XIX of the So-
7 cial Security Act (42 U.S.C. 1396 et seq.) (or a
8 waiver of such plan). Such report shall—

9 (A) examine—

10 (i) the process used by Puerto Rico to
11 evaluate bids and award contracts under
12 such plan (or waiver);

13 (ii) which contracts are not subject to
14 competitive bidding or requests for pro-
15 posals under such plan (or waiver); and

16 (iii) oversight by the Centers for
17 Medicare & Medicaid Services of contracts
18 awarded under such plan (or waiver); and

19 (B) include any recommendations for Con-
20 gress, the Secretary of Health and Human
21 Services, or Puerto Rico relating to changes
22 that the Comptroller General determines nec-
23 essary to improve the program integrity of such
24 plan (or waiver).

1 (3) AUDITS OF MANAGED CARE PAYMENTS.—
2 Not later than the date that is 1 year after the date
3 of enactment of this Act, the Inspector General shall
4 develop and submit to Congress—

5 (A) a report identifying payments made
6 under Puerto Rico’s Medicaid program to man-
7 aged care organizations that the Inspector Gen-
8 eral determines to be at high risk for waste,
9 fraud, or abuse; and

10 (B) a plan for auditing and investigating
11 such payments.

12 (4) SYSTEM FOR TRACKING FEDERAL FUNDING
13 PROVIDED TO PUERTO RICO; MEDICAID AND CHIP
14 SCORECARD REPORTING.—Section 1902 of the So-
15 cial Security Act (42 U.S.C. 1396a), as amended by
16 subsection (e), is further amended by adding at the
17 end the following new subsection:

18 “(rr) PROGRAM INTEGRITY REQUIREMENTS FOR
19 PUERTO RICO.—

20 “(1) SYSTEM FOR TRACKING FEDERAL MED-
21 ICAID FUNDING PROVIDED TO PUERTO RICO.—

22 “(A) IN GENERAL.—Puerto Rico shall es-
23 tablish and maintain a system, which may in-
24 clude the use of a quarterly Form CMS–64, for
25 tracking any amounts paid by the Federal Gov-

1 ernment to Puerto Rico with respect to the
2 State plan of Puerto Rico (or a waiver of such
3 plan). Under such system, Puerto Rico shall en-
4 sure that information is available, with respect
5 to each quarter in a fiscal year (beginning with
6 the first quarter beginning on or after the date
7 that is 1 year after the date of the enactment
8 of this subsection), on the following:

9 “(i) In the case of a quarter other
10 than the first quarter of such fiscal year—

11 “(I) the total amount expended
12 by Puerto Rico during any previous
13 quarter of such fiscal year under the
14 State plan of Puerto Rico (or a waiver
15 of such plan); and

16 “(II) a description of how such
17 amount was so expended.

18 “(ii) The total amount that Puerto
19 Rico expects to expend during the quarter
20 under the State plan of Puerto Rico (or a
21 waiver of such plan), and a description of
22 how Puerto Rico expects to expend such
23 amount.

24 “(B) REPORT TO CMS.—For each quarter
25 with respect to which Puerto Rico is required

1 under subparagraph (A) to ensure that infor-
2 mation described in such subparagraph is avail-
3 able, Puerto Rico shall submit to the Adminis-
4 trator of the Centers for Medicare & Medicaid
5 Services a report on such information for such
6 quarter, which may include the submission of a
7 quarterly Form CMS-37.

8 “(2) SUBMISSION OF DOCUMENTATION ON CON-
9 TRACTS UPON REQUEST.—Puerto Rico shall, upon
10 request, submit to the Administrator of the Centers
11 for Medicare & Medicaid Services all documentation
12 requested with respect to contracts awarded under
13 the State plan of Puerto Rico (or a waiver of such
14 plan).

15 “(3) REPORTING ON MEDICAID AND CHIP
16 SCORECARD MEASURES.—Beginning 12 months after
17 the date of enactment of this subsection, Puerto
18 Rico shall begin to report to the Administrator of
19 the Centers for Medicare & Medicaid Services on se-
20 lected measures included in the Medicaid and CHIP
21 Scorecard developed by the Centers for Medicare &
22 Medicaid Services.”.

23 (5) APPROPRIATION.—Out of any funds in the
24 Treasury not otherwise appropriated, there is appro-
25 priated to the Secretary of Health and Human Serv-

1 of the income or resources of such individual's
2 spouse); or

3 (B) on the basis of an individual's need for
4 home and community-based services authorized
5 under subsection (c), (d), (i), or (k) of section
6 1915 of such Act (42 U.S.C. 1396n) or under
7 section 1115 of such Act (42 U.S.C. 1315); or
8 (2) disregarding an individual's spousal income
9 and assets under a plan amendment to provide med-
10 ical assistance for home and community-based serv-
11 ices for individuals by reason of being determined el-
12 igible under section 1902(a)(10)(C) of such Act (42
13 U.S.C. 1396a(a)(10)(C)) or by reason of section
14 1902(f) of such Act (42 U.S.C. 1396a(f)) or other-
15 wise on the basis of a reduction of income based on
16 costs incurred for medical or other remedial care
17 under which the State disregarded the income and
18 assets of the individual's spouse in determining the
19 initial and ongoing financial eligibility of an indi-
20 vidual for such services in place of the spousal im-
21 poverishment provisions applied under section 1924
22 of such Act (42 U.S.C. 1396r-5).

1 **SEC. 205. EXTENSION OF THE MONEY FOLLOWS THE PER-**
2 **SON REBALANCING DEMONSTRATION PRO-**
3 **GRAM.**

4 Section 6071(h) of the Deficit Reduction Act of 2005
5 (42 U.S.C. 1396a note) is amended—

6 (1) in paragraph (1)—

7 (A) in subparagraph (E), by striking
8 “and” after the semicolon;

9 (B) in subparagraph (F), by striking the
10 period at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(G) subject to paragraph (3),
13 \$176,000,000 for the period beginning on Jan-
14 uary 1, 2020, and ending on May 22, 2020.”;
15 and

16 (2) in paragraph (3)—

17 (A) in the paragraph header, by striking
18 “FOR FY 2019”; and

19 (B) by striking “paragraph (1)(F)” and
20 inserting “subparagraphs (F) and (G) of para-
21 graph (1)”.

1 **Subtitle C—Human Services and**
2 **Other Health Programs**

3 **SEC. 301. EXTENSION OF DEMONSTRATION PROJECTS TO**
4 **ADDRESS HEALTH PROFESSIONS WORK-**
5 **FORCE NEEDS.**

6 Activities authorized by section 2008 of the Social Se-
7 curity Act shall continue through May 22, 2020, in the
8 manner authorized for fiscal year 2019, and out of any
9 money in the Treasury of the United States not otherwise
10 appropriated, there are hereby appropriated such sums as
11 may be necessary for such purpose. Grants and payments
12 may be made pursuant to this authority through the date
13 so specified at the pro rata portion of the total amount
14 authorized for such activities in fiscal year 2019.

15 **SEC. 302. EXTENSION OF THE TEMPORARY ASSISTANCE**
16 **FOR NEEDY FAMILIES PROGRAM AND RE-**
17 **LATED PROGRAMS.**

18 Activities authorized by part A of title IV and section
19 1108(b) of the Social Security Act shall continue through
20 May 22, 2020, in the manner authorized for fiscal year
21 2019, and out of any money in the Treasury of the United
22 States not otherwise appropriated, there are hereby appro-
23 priated such sums as may be necessary for such purpose.

1 **SEC. 303. EXTENSION OF SEXUAL RISK AVOIDANCE EDU-**
2 **CATION PROGRAM.**

3 Section 510 of the Social Security Act (42 U.S.C.
4 710) is amended—

5 (1) in subsection (a)—

6 (A) in paragraph (1), in the matter pre-
7 ceeding subparagraph (A), by striking “Decem-
8 ber 20, 2019” and inserting “May 22, 2020”;

9 (B) in paragraph (2)(A), by striking “De-
10 cember 20, 2019” and inserting “May 22,
11 2020”; and

12 (2) in subsection (f)(1), by striking
13 “\$16,643,836 for the period beginning October 1,
14 2019, and ending December 20, 2019” and inserting
15 “\$48,287,671 for the period beginning October 1,
16 2019, and ending May 22, 2020”.

17 **SEC. 304. EXTENSION OF PERSONAL RESPONSIBILITY EDU-**
18 **CATION PROGRAM.**

19 Section 513 of the Social Security Act (42 U.S.C.
20 713) is amended—

21 (1) in subsection (a)(1)—

22 (A) in subparagraph (A), in the matter
23 preceding clause (i), by striking “December 20,
24 2019” and inserting “May 22, 2020”;

1 (B) in subparagraph (B)(i), by striking by
2 striking “December 20, 2019” and inserting
3 “May 22, 2020”; and

4 (2) in subsection (f), by striking “\$16,643,836
5 for the period beginning October 1, 2019, and end-
6 ing December 20, 2019” and inserting
7 “\$48,287,671 for the period beginning October 1,
8 2019, and ending May 22, 2020”.

9 **Subtitle D—Public Health** 10 **Provisions**

11 **SEC. 401. EXTENSION FOR COMMUNITY HEALTH CENTERS,** 12 **THE NATIONAL HEALTH SERVICE CORPS,** 13 **AND TEACHING HEALTH CENTERS THAT OP-** 14 **ERATE GME PROGRAMS.**

15 (a) COMMUNITY HEALTH CENTERS.—Section
16 10503(b)(1)(F) of the Patient Protection and Affordable
17 Care Act (42 U.S.C. 254b–2(b)(1)(F)) is amended by—

18 (1) striking “\$887,671,223” and inserting
19 “\$2,575,342,466”; and

20 (2) striking “December 20, 2019” and inserting
21 “May 22, 2020”.

22 (b) NATIONAL HEALTH SERVICE CORPS.—Section
23 10503(b)(2)(G) of the Patient Protection and Affordable
24 Care Act (42 U.S.C. 254b–2(b)(2)(G)) is amended—

1 (1) by striking “\$68,794,521” and inserting
2 “\$199,589,041”; and

3 (2) by striking “December 20, 2019” and in-
4 serting “May 22, 2020”.

5 (c) TEACHING HEALTH CENTERS THAT OPERATE
6 GRADUATE MEDICAL EDUCATION PROGRAMS.—Section
7 340H(g)(1) of the Public Health Service Act (42 U.S.C.
8 256h(g)(1)) is amended—

9 (1) by striking “\$28,072,603” and inserting
10 “\$81,445,205”; and

11 (2) by striking “December 20, 2019” and in-
12 serting “May 22, 2020”.

13 (d) APPLICATION OF PROVISIONS.—Amounts appro-
14 priated pursuant to the amendments made by this section
15 for the period beginning on October 1, 2019, and ending
16 on May 22, 2020, shall be subject to the requirements con-
17 tained in Public Law 115–245 for funds for programs au-
18 thorized under sections 330 through 340 of the Public
19 Health Service Act (42 U.S.C. 254 through 256).

20 (e) CONFORMING AMENDMENT.—Paragraph (4) of
21 section 3014(h) of title 18, United States Code, as amend-
22 ed by section 1101(e) of division B of Public Law 116–
23 69, is amended by striking “section 1101(d) of division
24 B of the Continuing Appropriations Act, 2020, and Health
25 Extenders Act of 2019, and section 1101(d) of the Fur-

1 ther Continuing Appropriations Act, 2020, and Further
2 Health Extenders Act of 2019” and inserting “, and sec-
3 tion 401(d) of division N of the Further Consolidated Ap-
4 propriations Act, 2020”.

5 **SEC. 402. DIABETES PROGRAMS.**

6 (a) TYPE I.—Section 330B(b)(2)(D) of the Public
7 Health Service Act (42 U.S.C. 254e–2(b)(2)(D)) is
8 amended—

9 (1) by striking “\$33,287,671” and inserting
10 “\$96,575,342”; and

11 (2) by striking “December 20, 2019” and in-
12 serting “May 22, 2020”.

13 (b) INDIANS.—Section 330C(c)(2)(D) of the Public
14 Health Service Act (42 U.S.C. 254e–3(c)(2)(D)) is
15 amended—

16 (1) by striking “\$33,287,671” and inserting
17 “\$96,575,342”; and

18 (2) by striking “December 20, 2019” and in-
19 serting “May 22, 2020”.

20 **SEC. 403. POISON CENTER NETWORK ENHANCEMENT.**

21 (a) NATIONAL TOLL-FREE NUMBER.—Section 1271
22 of the Public Health Service Act (42 U.S.C. 300d–71) is
23 amended—

1 (1) in the section heading, by inserting before
2 the period the following: “**AND OTHER COMMU-**
3 **UNICATION CAPABILITIES**”; and

4 (2) by striking subsection (a) and inserting the
5 following:

6 “(a) IN GENERAL.—The Secretary—

7 “(1) shall provide coordination and assistance
8 to poison control centers for the establishment and
9 maintenance of a nationwide toll-free phone number,
10 to be used to access such centers; and

11 “(2) may provide coordination and assistance to
12 poison control centers and consult with professional
13 organizations for the establishment, implementation,
14 and maintenance of other communication tech-
15 nologies to be used to access such centers.”;

16 (3) by redesignating subsection (b) as sub-
17 section (c);

18 (4) by inserting after subsection (a) the fol-
19 lowing:

20 “(b) ROUTING CONTACTS WITH POISON CONTROL
21 CENTERS.—Not later than 18 months after the date of
22 enactment of this subsection, the Secretary shall coordi-
23 nate with the Chairman of the Federal Communications
24 Commission, to the extent technically and economically
25 feasible, to ensure that communications with the national

1 toll-free number are routed to the appropriate poison con-
2 trol center based on the physical location of the contact
3 rather than the area code of the contact device.”; and

4 (5) in subsection (c), as so redesignated—

5 (A) by striking “2015 through 2019” and
6 inserting “2020 through 2024”; and

7 (B) by striking “maintenance of the na-
8 tionwide toll free phone number under sub-
9 section (a)” and inserting “establishment, im-
10 plementation, and maintenance activities car-
11 ried out under subsections (a) and (b)”.

12 (b) **NATIONWIDE MEDIA CAMPAIGN.**—Section 1272
13 of the Public Health Service Act (42 U.S.C. 300d–72) is
14 amended—

15 (1) in the section heading, by striking “**NA-**
16 **TIONWIDE MEDIA CAMPAIGN TO PROMOTE**”
17 and inserting “**PROMOTING**”;

18 (2) in subsection (a)—

19 (A) by inserting “and support outreach to”
20 after “educate”;

21 (B) by striking “poison prevention” and
22 inserting “poisoning and toxic exposure preven-
23 tion”; and

24 (C) by striking “established under” and in-
25 serting “and other available communication

1 technologies established, implemented, or main-
2 tained under”;

3 (3) in subsection (b)—

4 (A) in the matter preceding paragraph (1),
5 by striking “nationwide poison prevention” and
6 inserting “nationwide poisoning and toxic expo-
7 sure prevention”; and

8 (B) in paragraph (1), by striking “poison
9 prevention and poison control center” and in-
10 sserting “poisoning and toxic exposure preven-
11 tion awareness materials, applicable public
12 health emergency preparedness and response in-
13 formation, and poison control center” after
14 “distribution of”; and

15 (4) by striking subsection (c);

16 (5) by redesignating subsection (d) as sub-
17 section (c); and

18 (6) in subsection (c) (as so redesignated), by
19 striking “2015 through 2019” and inserting “2020
20 through 2024”.

21 (c) MAINTENANCE OF PROGRAM.—Section 1273 of
22 the Public Health Service Act (42 U.S.C. 300d–73) is
23 amended—

24 (1) in subsection (a), by inserting “and toxic
25 exposures” after “poisonings”; and

1 (2) in subsection (b)—

2 (A) in paragraph (1)—

3 (i) by striking “for poison” and in-
4 sserting “for poisoning and toxic exposure”;
5 and

6 (ii) by striking “and preparedness”
7 and inserting “preparedness and re-
8 sponse”;

9 (B) in paragraph (3)—

10 (i) by striking “United States and”
11 and inserting “United States,”; and

12 (ii) by inserting before the semicolon
13 the following: “, and other government
14 agencies as determined to be appropriate
15 and nonduplicative by the Secretary”; and

16 (C) in paragraph (8), by striking “calls”
17 and inserting “contacts”;

18 (3) in subsection (d) , by striking paragraph (3)
19 and inserting the following:

20 “(3) LIMITATION.—

21 “(A) IN GENERAL.—The sum of the num-
22 ber of years for a waiver under paragraph (1)
23 and a renewal under paragraph (2) may not ex-
24 ceed 5 years.

1 “(B) PUBLIC HEALTH EMERGENCY.—Not-
2 withstanding any previous waivers, in the case
3 of a poison control center whose accreditation is
4 affected by a public health emergency declared
5 pursuant to section 319, the Secretary may, as
6 the circumstances of the emergency reasonably
7 require, provide a waiver under paragraph (1)
8 or a renewal under paragraph (2), not to exceed
9 2 years. The Secretary may require quarterly
10 reports and other information related to such a
11 waiver or renewal under this paragraph.”;

12 (4) by striking subsection (f) and inserting the
13 following:

14 “(f) MAINTENANCE OF EFFORT.—With respect to
15 activities for which a grant is awarded under this section,
16 the Secretary may require that poison control centers
17 agree to maintain the expenditures of the center for such
18 activities at a level that is not less than the level of expend-
19 itures maintained by the center for the fiscal year pre-
20 ceding the fiscal year for which the grant is received.”;

21 (5) In subsection (g), by striking “2015
22 through 2019” and inserting “2020 through 2024”;
23 and

24 (6) by adding at the end the following:

1 “(h) BIENNIAL REPORT TO CONGRESS.—Not later
2 than 2 years after the date of enactment of this sub-
3 section, and every 2 years thereafter, the Secretary shall
4 submit to the Committee on Health, Education, Labor,
5 and Pensions of the Senate and Committee on Energy and
6 Commerce of the House of Representatives a report con-
7 cerning the operations of, and trends identified by, the
8 Poison Control Network. Such report shall include—

9 “(1) descriptions of the activities carried out
10 pursuant to sections 1271, 1272, and 1273, and the
11 alignment of such activities with the purposes pro-
12 vided under subsection (a);

13 “(2) a description of trends in volume of con-
14 tacts to poison control centers;

15 “(3) a description of trends in poisonings and
16 toxic exposures reported to poison control centers, as
17 applicable and appropriate;

18 “(4) an assessment of the impact of the public
19 awareness campaign, including any geographic vari-
20 ations;

21 “(5) a description of barriers, if any, preventing
22 poison control centers from achieving the purposes
23 and programs under this section and sections 1271
24 and 1272;

1 “(6) a description of the standards for accredi-
2 tation described in subsection (c), including any
3 variations in those standards, and any efforts to cre-
4 ate and maintain consistent standards across organi-
5 zations that accredit poison control centers; and

6 “(7) the number of and reason for any waivers
7 provided under subsection (d).”.

8 **SEC. 404. KAY HAGAN TICK ACT.**

9 (a) **SHORT TITLE.**—This section may be cited as the
10 “Kay Hagan Tick Act”.

11 (b) **COMBATING VECTOR-BORNE DISEASES.**—Title
12 III of the Public Health Service Act is amended by insert-
13 ing after section 317T (42 U.S.C. 247b–22) the following:

14 **“SEC. 317U. NATIONAL STRATEGY AND REGIONAL CENTERS**
15 **OF EXCELLENCE IN VECTOR-BORNE DIS-**
16 **EASES.**

17 “(a) **IN GENERAL.**—The Secretary shall—

18 “(1)(A) ensure the development and implemen-
19 tation of a national strategy to address vector-borne
20 diseases, including tick-borne diseases, that—

21 “(i) identifies and assesses gaps and any
22 unnecessary duplication in federally-funded pro-
23 grams; and

24 “(ii) identifies strategic goals to address
25 such diseases and appropriate benchmarks to

1 measure progress toward achieving such goals;

2 and

3 “(B) update such strategy, as appropriate; and

4 “(2) coordinate programs and activities, includ-

5 ing related to data collection, research, and the de-

6 velopment of diagnostics, treatments, vaccines, and

7 other related activities, to address vector-borne dis-

8 eases, including tick-borne diseases, across the De-

9 partment of Health and Human Services and with

10 other Federal agencies or departments, as appro-

11 priate.

12 “(b) CONSULTATION.—In carrying out subsection

13 (a)(1), the Secretary shall consult with the Tick-Borne

14 Disease Working Group established under section 2062 of

15 the 21st Century Cures Act (42 U.S.C. 284s) and other

16 individuals, as appropriate, such as—

17 “(1) epidemiologists with experience in vector-

18 borne diseases;

19 “(2) representatives of patient advocacy and re-

20 search organizations that focus on vector-borne dis-

21 eases, including such organizations that have dem-

22 onstrated experience in related research, public

23 health, data collection, or patient access to care;

24 “(3) health information technology experts or

25 other information management specialists;

1 “(4) clinicians, entomologists, vector manage-
2 ment professionals, public health professionals, and
3 others with expertise in vector-borne diseases; and

4 “(5) researchers, including researchers with ex-
5 perience conducting translational research.

6 “(c) CENTERS OF EXCELLENCE.—The Secretary, in
7 coordination with the Director of the Centers for Disease
8 Control and Prevention, shall award grants, contracts, or
9 cooperative agreements to institutions of higher education
10 for the establishment or continued support of regional cen-
11 ters of excellence in vector-borne diseases to address vec-
12 tor-borne diseases, including tick-borne diseases, by—

13 “(1) facilitating collaboration between academia
14 and public health organizations for public health
15 surveillance, prevention, and response activities re-
16 lated to vector-borne diseases, including tick-borne
17 diseases;

18 “(2) providing training for public health ento-
19 mologists and other health care professionals, as ap-
20 propriate, to address vector-borne diseases, including
21 tick-borne diseases;

22 “(3) conducting research to develop and vali-
23 date prevention and control tools and methods, in-
24 cluding evidence-based and innovative, evidence-in-

1 formed tools and methods to anticipate and respond
2 to disease outbreaks; or

3 “(4) preparing for and responding to outbreaks
4 of vector-borne diseases, including tick-borne dis-
5 eases.

6 “(d) ELIGIBILITY.—To be eligible to receive a grant,
7 contract, or cooperative agreement under subsection (c),
8 an entity shall submit to the Secretary an application at
9 such time, in such manner, and containing such informa-
10 tion as the Secretary may require, including a description
11 of how the entity will conduct the activities described in
12 such subsection.

13 “(e) REPORTS.—

14 “(1) PROGRAM SUMMARY.—An entity receiving
15 an award under subsection (c) shall, not later than
16 one year after receiving such award, and annually
17 thereafter, submit to the Secretary a summary of
18 programs and activities funded under the award.

19 “(2) PROGRESS REPORT.—Not later than 4
20 years after the date of enactment of this section, the
21 Secretary shall submit to the Committee on Health,
22 Education, Labor, and Pensions of the Senate and
23 the Committee on Energy and Commerce of the
24 House of Representatives, a report on the progress
25 made in addressing vector-borne diseases, including

1 tick-borne diseases, through activities carried out
2 under this section.

3 “(f) AUTHORIZATION OF APPROPRIATIONS.—For the
4 purpose of carrying out this section, there are authorized
5 to be appropriated \$10,000,000 for each of fiscal years
6 2021 through 2025.”.

7 (c) ENHANCING CAPACITY TO ADDRESS VECTOR-
8 BORNE DISEASES.—Subtitle C of title XXVIII of the Pub-
9 lic Health Service Act (42 U.S.C. 300hh-31 et seq.) is
10 amended by adding at the end the following:

11 **“SEC. 2822. ENHANCED SUPPORT TO ASSIST HEALTH DE-**
12 **PARTMENTS IN ADDRESSING VECTOR-BORNE**
13 **DISEASES.**

14 “(a) IN GENERAL.—The Secretary, acting through
15 the Director of the Centers for Disease Control and Pre-
16 vention, may enter into cooperative agreements with
17 health departments of States, political subdivisions of
18 States, and Indian Tribes and Tribal organizations in
19 areas at high risk of vector-borne diseases in order to in-
20 crease capacity to identify, report, prevent, and respond
21 to such diseases and related outbreaks.

22 “(b) ELIGIBILITY.—To be eligible to enter into a co-
23 operative agreement under this section, an entity de-
24 scribed in subsection (a) shall prepare and submit to the
25 Secretary an application at such time, in such manner,

1 and containing such information as the Secretary may re-
2 quire, including a plan that describes—

3 “(1) how the applicant proposes to develop or
4 expand programs to address vector-borne disease
5 risks, including through—

6 “(A) related training and workforce devel-
7 opment;

8 “(B) programmatic efforts to improve ca-
9 pacity to identify, report, prevent, and respond
10 to such disease and related outbreaks; and

11 “(C) other relevant activities identified by
12 the Director of the Centers for Disease Control
13 and Prevention, as appropriate;

14 “(2) the manner in which the applicant will co-
15 ordinate with other Federal, Tribal, and State agen-
16 cies and programs, as applicable, related to vector-
17 borne diseases, as well as other relevant public and
18 private organizations or agencies; and

19 “(3) the manner in which the applicant will
20 evaluate the effectiveness of any program carried out
21 under the cooperative agreement.

22 “(c) AUTHORIZATION OF APPROPRIATIONS.—For the
23 purposes of carrying out this section, there are authorized
24 to be appropriated \$20,000,000 for each of fiscal years
25 2021 through 2025.”.

1 **SEC. 503. REPEAL OF EXCISE TAX ON HIGH COST EM-**
2 **PLOYER-SPONSORED HEALTH COVERAGE.**

3 (a) IN GENERAL.—Chapter 43 of the Internal Rev-
4 enue Code of 1986 is amended by striking section 4980I.

5 (b) CONFORMING AMENDMENTS.—

6 (1) Section 6051 of such Code is amended—

7 (A) by striking “section 4980I(d)(1)” in
8 subsection (a)(14) and inserting “subsection
9 (g)”, and

10 (B) by adding at the end the following new
11 subsection:

12 “(g) APPLICABLE EMPLOYER-SPONSORED COV-
13 ERAGE.—For purposes of subsection (a)(14)—

14 “(1) IN GENERAL.—The term ‘applicable em-
15 ployer-sponsored coverage’ means, with respect to
16 any employee, coverage under any group health plan
17 made available to the employee by an employer
18 which is excludable from the employee’s gross in-
19 come under section 106, or would be so excludable
20 if it were employer-provided coverage (within the
21 meaning of such section 106).

22 “(2) EXCEPTIONS.—The term ‘applicable em-
23 ployer-sponsored coverage’ shall not include—

24 “(A) any coverage (whether through insur-
25 ance or otherwise) described in section

1 9832(c)(1) (other than subparagraph (G) there-
2 of) or for long-term care,

3 “(B) any coverage under a separate policy,
4 certificate, or contract of insurance which pro-
5 vides benefits substantially all of which are for
6 treatment of the mouth (including any organ or
7 structure within the mouth) or for treatment of
8 the eye, or

9 “(C) any coverage described in section
10 9832(c)(3) the payment for which is not exclud-
11 able from gross income and for which a deduc-
12 tion under section 162(l) is not allowable.

13 “(3) COVERAGE INCLUDES EMPLOYEE PAID
14 PORTION.—Coverage shall be treated as applicable
15 employer-sponsored coverage without regard to
16 whether the employer or employee pays for the cov-
17 erage.

18 “(4) GOVERNMENTAL PLANS INCLUDED.—Ap-
19 plicable employer-sponsored coverage shall include
20 coverage under any group health plan established
21 and maintained primarily for its civilian employees
22 by the Government of the United States, by the gov-
23 ernment of any State or political subdivision thereof,
24 or by any agency or instrumentality of any such gov-
25 ernment.”.

1 (2) Section 9831(d)(1) of such Code is amend-
2 ed by striking “except as provided in section
3 4980I(f)(4)”.

4 (3) The table of sections for chapter 43 of such
5 Code is amended by striking the item relating to sec-
6 tion 4980I.

7 (c) EFFECTIVE DATE.—The amendments made by
8 this section shall apply to taxable years beginning after
9 December 31, 2019.

10 **Subtitle F—Miscellaneous** 11 **Provisions**

12 **SEC. 601. ALASKA NATIVE REGIONAL HEALTH ENTITIES.**

13 Section 424(a) of the Consolidated Appropriations
14 Act, 2014 (Public Law 113–76), as amended by section
15 428 of the Consolidated Appropriations Act, 2018 (Public
16 Law 115–141), shall be applied by substituting “May 22,
17 2020” for “October 1, 2019”.

18 **SEC. 602. ADDRESSING EXPIRATION OF CHILD WELFARE** 19 **DEMONSTRATION PROJECTS AND SUP-** 20 **PORTING FAMILY FIRST IMPLEMENTATION.**

21 (a) SHORT TITLE.—This section may be cited as the
22 “Family First Transition Act”.

23 (b) EVIDENCE STANDARD TRANSITION.—

24 (1) TEMPORARY SUSPENSION OF REQUIREMENT
25 THAT AT LEAST 50 PERCENT OF A STATE’S REIM-

1 BURSEMENT FOR PREVENTION AND FAMILY SERV-
2 ICES AND PROGRAMS BE FOR PROGRAMS AND SERV-
3 ICES THAT MEET THE WELL-SUPPORTED PRACTICE
4 REQUIREMENT.—With respect to quarters in fiscal
5 years 2020 and 2021, section 474(a)(6)(A) of the
6 Social Security Act (42 U.S.C. 674(a)(6)(A)) shall
7 be applied without regard to clause (ii) of such sec-
8 tion.

9 (2) SUPPORTED PRACTICES TEMPORARILY
10 TREATED AS WELL-SUPPORTED PRACTICES.—With
11 respect to quarters in fiscal years 2022 and 2023,
12 practices that meet the criteria specified for sup-
13 ported practices in section 471(e)(4)(C) of the Social
14 Security Act (42 U.S.C. 671(e)(4)(C)) shall be con-
15 sidered well-supported practices for purposes of sec-
16 tion 474(a)(6)(A)(ii) of such Act (42 U.S.C.
17 674(a)(6)(A)(ii)).

18 (c) ENHANCED FUNDING FOR TRANSITION ACTIVI-
19 TIES.—

20 (1) TRANSITION FUNDING.—

21 (A) APPROPRIATION.—Out of any money
22 in the Treasury of the United States not other-
23 wise appropriated, there are appropriated to the
24 Secretary of Health and Human Services (in
25 this section referred to as the “Secretary”) to

1 carry out this subsection \$500,000,000 for fis-
2 cal year 2020, which shall remain available
3 through fiscal year 2021.

4 (B) DISTRIBUTION OF FUNDS.—

5 (i) IN GENERAL.—The Secretary shall
6 allot the amount appropriated by subpara-
7 graph (A) of this paragraph in accordance
8 with section 423 of the Social Security Act
9 (42 U.S.C. 623), and shall pay each State
10 to which an allotment is so made, the total
11 amount so allotted, subject to clause (ii) of
12 this subparagraph.

13 (ii) RESERVATION OF FUNDS FOR IN-
14 DIAN TRIBES AND TRIBAL ORGANIZA-
15 TIONS.—Before applying clause (i) of this
16 subparagraph, the Secretary shall reserve
17 3 percent of the amount appropriated by
18 subparagraph (A) of this paragraph for al-
19 lotment to the Indian tribes and tribal or-
20 ganizations with a plan approved under
21 subpart 1 of part B of title IV of the So-
22 cial Security Act, based on each tribe or
23 tribal organization's share of the total trib-
24 al child population among all such tribes
25 and tribal organizations.

1 (2) FUNDING CERTAINTY FOR STATES WITH
2 EXPIRING DEMONSTRATION PROJECTS.—

3 (A) IN GENERAL.—Out of any money in
4 the Treasury of the United States not otherwise
5 appropriated, there are appropriated to the Sec-
6 retary, for payment to each State that was op-
7 erating a demonstration project approved under
8 section 1130 of the Social Security Act on Sep-
9 tember 30, 2019, for each fiscal year specified
10 in subparagraph (B) of this paragraph, an
11 amount equal to the amount (if any) by
12 which—

13 (i)(I) the applicable percentage for the
14 fiscal year so specified of the maximum
15 capped allocation due to the State or sub-
16 State jurisdiction for fiscal year 2019 for
17 foster care maintenance, administration, or
18 training costs, under the demonstration
19 project, as specified in section 4.3 of the
20 State waiver terms and conditions docu-
21 ment capped allocation payment table in
22 effect on August 31, 2019; or

23 (II) if the terms and conditions do not
24 specify a maximum amount payable for fis-
25 cal year 2019 for the State or sub-State

1 jurisdiction (due to the use of a compari-
2 son jurisdiction to ensure cost neutrality),
3 the final cost neutrality limit for the State
4 or sub-State jurisdiction for fiscal year
5 2018, as most recently reported by the
6 State or sub-State jurisdiction as of Sep-
7 tember 30, 2019, for foster care mainte-
8 nance, administration, or training costs
9 under the demonstration project that were
10 included in the waiver; exceeds

11 (ii) the total amount payable to the
12 State or sub-State jurisdiction under part
13 E of title IV of such Act for the fiscal year
14 so specified for foster care expenditures
15 (whether payable under paragraph (1) or
16 (3) of section 474(a) of such Act) that
17 were maintenance, administration, or
18 training costs of the demonstration project
19 taken into account by the Secretary in de-
20 termining the total amount referred to in
21 clause (i) of this subparagraph.

22 (B) APPLICABLE PERCENTAGE DE-
23 FINED.—In this subparagraph, the term “appli-
24 cable percentage” means—

1 (i) 90 percent, in the case of fiscal
2 year 2020; or

3 (ii) 75 percent, in the case of fiscal
4 year 2021.

5 (C) SPECIAL RULE.—The calculation
6 under subparagraph (A) with respect to a State
7 shall be made without regard to—

8 (i) any change approved after August
9 31, 2019, in the capped allocation or the
10 terms and conditions referred to in clause
11 (i) of subparagraph (A) with respect to the
12 State; or

13 (ii) any change made after such date
14 to the financial form submitted by the
15 State that is used in determining the
16 capped allocation.

17 (D) DISTRIBUTION OF FUNDS.—Each
18 State that receives funds under this paragraph
19 shall distribute the funds to jurisdictions in the
20 State that were operating demonstration
21 projects under section 1130 of the Social Secu-
22 rity Act in a manner consistent with each sub-
23 State jurisdiction's proportionate loss as com-
24 pared with fiscal year 2019.

1 (E) RECONCILIATION PROCESS.—Each
2 State seeking a payment under this paragraph
3 shall report expenditures pursuant to part E of
4 title IV of the Social Security Act (42 U.S.C.
5 670 et seq.) in a manner determined by the
6 Secretary and the Secretary shall account for
7 any revisions to spending for fiscal years 2020
8 and 2021 after the end of the respective fiscal
9 year that are reported by the State agency ad-
10 ministering the State plan approved under such
11 part, and received by the Department of Health
12 and Human Services, within 2 years after the
13 last day of the fiscal quarter in which the ex-
14 penditure was made.

15 (F) AVAILABILITY OF FUNDS.—The
16 amounts made available for payments to States
17 under this paragraph for a fiscal year shall re-
18 main available through the end of the third suc-
19 ceeding fiscal year.

20 (3) USE OF FUNDS.—

21 (A) IN GENERAL.—In addition to the pur-
22 poses specified in part B of title IV of the So-
23 cial Security Act (42 U.S.C. 671 et seq.), a
24 State may use funds provided under this sub-
25 section for activities previously funded under a

1 demonstration project under section 1130 of
2 such Act (42 U.S.C. 1320a–9) to reduce any
3 adverse fiscal impacts as jurisdictions transition
4 funding sources for the projects, and for activi-
5 ties directly associated with the implementation
6 of title VII of division E of Public Law 115–
7 123 (also known as the Family First Preven-
8 tion Services Act).

9 (B) LIMITATION.—None of the funds pro-
10 vided under this subsection may be used to
11 match Federal funds under any program.

12 (d) REPORTING ON ENHANCED FUNDING FOR TRAN-
13 SITION ACTIVITIES.—

14 (1) IN GENERAL.—Each State to which funds
15 are paid under subsection (c) of this section shall
16 submit to the Secretary, in a manner specified by
17 the Secretary, a written report on—

18 (A) how the grant is used to implement
19 each part of title VII of division E of Public
20 Law 115–123 (also known as the Family First
21 Prevention Services Act), with a separate state-
22 ment with respect to each such part;

23 (B) all programs, services, and operational
24 costs to which the grant is put;

1 (C) the characteristics of the families and
2 children served by use of the grant; and

3 (D)(i) the use by the State of amounts
4 provided for each fiscal year to continue activi-
5 ties previously funded under a waiver provided
6 under section 1130 of the Social Security Act
7 (42 U.S.C. 1320a–9); and

8 (ii)(I) the plan of the State to transition
9 the activities so that needed activities can be
10 provided under the State plan approved under
11 part E of title IV of the Social Security Act (42
12 U.S.C. 670 et seq.); or

13 (II) if expenditures for the activities would
14 not be eligible for payment under the State plan
15 approved under such part E—

16 (aa) the reason therefor; and

17 (bb) the funding sources the State
18 plans to use to cover the costs of needed
19 activities.

20 (2) APPLICABILITY OF OTHER LAWS.—For pur-
21 poses of subpart 2 of part B of title IV of the Social
22 Security Act (42 U.S.C. 629 et seq.), each report re-
23 quired by paragraph (1) of this subsection shall be
24 considered to be required by section 432(a)(8) of
25 such Act (42 U.S.C. 629b(a)(8)), and shall contain

1 such additional information as the Secretary may re-
2 quire.

3 (e) DEFINITION OF STATE.—In this section, the term
4 “State” has the meaning given the term in section
5 431(a)(4) of the Social Security Act (42 U.S.C.
6 629a(a)(4)).

7 (f) RENAMING OF TITLE IV–B–2 OF THE SOCIAL SE-
8 CURITY ACT.—The subpart heading for subpart 2 of part
9 B of title IV of the Social Security Act is amended by
10 striking “**Promoting Safe and Stable Families**”
11 and inserting “**MaryLee Allen Promoting Safe**
12 **and Stable Families Program**”.

13 (g) EFFECTIVE DATE.—This section and the amend-
14 ments made by this section shall take effect as if included
15 in the Bipartisan Budget Act of 2018 on the date of the
16 enactment of such Act.

17 (h) TECHNICAL CORRECTION.—Section 50701 of the
18 Bipartisan Budget Act of 2018 (42 U.S.C. 1305 note;
19 Public Law 115–123) is amended by striking “Bipartisan
20 Budget Act of 2018” and inserting “Family First Preven-
21 tion Services Act”.

22 **SEC. 603. MINIMUM AGE OF SALE OF TOBACCO PRODUCTS.**

23 (a) IN GENERAL.—Section 906(d) of the Federal
24 Food, Drug, and Cosmetic Act (21 U.S.C. 387f(d)) is
25 amended—

1 (1) in paragraph (3)(A)(ii), by striking “18
2 years” and inserting “21 years”; and

3 (2) by adding at the end the following:

4 “(5) MINIMUM AGE OF SALE.—It shall be un-
5 lawful for any retailer to sell a tobacco product to
6 any person younger than 21 years of age.”.

7 (b) REGULATIONS.—

8 (1) IN GENERAL.—Not later than 180 days
9 after the date of enactment of this Act, the Sec-
10 retary of Health and Human Services (referred to in
11 this section as the “Secretary”) shall publish in the
12 Federal Register a final rule to update the regula-
13 tions issued under chapter IX of the Federal Food,
14 Drug, and Cosmetic Act (21 U.S.C. 387 et seq.) as
15 appropriate, only to carry out the amendments made
16 by subsection (a), including to update all references
17 to persons younger than 18 years of age in subpart
18 B of part 1140 of title 21, Code of Federal Regula-
19 tions, and to update the relevant age verification re-
20 quirements under such part 1140 to require age
21 verification for individuals under the age of 30. Such
22 final rule shall—

23 (A) take full effect not later than 90 days
24 after the date on which such final rule is pub-
25 lished; and

1 (B) be deemed to be in compliance with all
2 applicable provisions of chapter 5 of title 5,
3 United States Code and all other provisions of
4 law relating to rulemaking procedures.

5 (2) OTHER REGULATIONS.—Prior to making
6 amendments to part 1140 of title 21, Code of Fed-
7 eral Regulations other than the amendments de-
8 scribed in paragraph (1), the Secretary shall promul-
9 gate a proposed rule in accordance with chapter 5
10 of title 5, United States Code.

11 (c) NOTIFICATION.—Not later than 90 days after the
12 date of enactment of this Act, the Secretary shall provide
13 written notification to the Committee on Health, Edu-
14 cation, Labor, and Pensions of the Senate and the Com-
15 mittee on Energy and Commerce of the House of Rep-
16 resentatives regarding the progress of the Department of
17 Health and Human Services towards promulgating the
18 final rule under subsection (b). If, 180 days after the date
19 of enactment of this Act, such rule has not been promul-
20 gated in accordance with subsection (b), the Secretary
21 shall provide a written notification and a justification for
22 the delay in rulemaking to such committees.

23 (d) PENALTIES FOR VIOLATIONS.—

1 (1) IN GENERAL.—Section 103(q)(2) of the
2 Family Smoking Prevention and Tobacco Control
3 Act (Public Law 111–31) is amended—

4 (A) in subparagraph (A), in the matter
5 preceding clause (i), by inserting “section
6 906(d)(5) or of” after “violations of”; and

7 (B) in subparagraph (C), by inserting
8 “section 906(d)(5) or of” after “a retailer of”.

9 (2) REPEATED VIOLATIONS.—Section 303(f)(8)
10 of the Federal Food, Drug, and Cosmetic Act (21
11 U.S.C. 333(f)(8)) is amended by inserting “section
12 906(d)(5) or of” after “repeated violations of”.

13 (3) MISBRANDED PRODUCTS.—Section
14 903(a)(7)(B) of the Federal Food, Drug, and Cos-
15 metic Act (21 U.S.C. 387c) is amended by inserting
16 “section 906(d)(5) or of” after “violation of”.

17 **SEC. 604. SALE OF TOBACCO PRODUCTS TO INDIVIDUALS**
18 **UNDER THE AGE OF 21.**

19 (a) IN GENERAL.—Section 1926 of the Public Health
20 Service Act (42 U.S.C. 300x–26) is amended—

21 (1) in the heading—

22 (A) by striking “**STATE LAW REGARD-**
23 **ING**”; and

24 (B) by striking “**18**” and inserting “**21**”;

25 (2) by striking subsections (a) and (d);

1 (3) by redesignating subsections (b) and (c) as
2 subsections (a) and (b), respectively;

3 (4) by amending subsection (a), as so redesign-
4 nated, to read as follows:

5 “(a) IN GENERAL.—A funding agreement for a grant
6 under section 1921 is that the State involved will—

7 “(1) annually conduct random, unannounced in-
8 spections to ensure that retailers do not sell tobacco
9 products to individuals under the age of 21; and

10 “(2) annually submit to the Secretary a report
11 describing—

12 “(A) the activities carried out by the State
13 to ensure that retailers do not sell tobacco prod-
14 ucts to individuals under the age of 21;

15 “(B) the extent of success the State has
16 achieved in ensuring that retailers do not sell
17 tobacco products to individuals under the age of
18 21; and

19 “(C) the strategies to be utilized by the
20 State to ensure that retailers do not sell tobacco
21 products to individuals under the age of 21 dur-
22 ing the fiscal year for which the grant is
23 sought.”;

24 (5) in subsection (b), as so redesignated—

1 (A) by striking paragraphs (1), (2), (3),
2 and (4);

3 (B) by striking “Before making” and in-
4 sserting the following:

5 “(1) IN GENERAL.—Before making”;

6 (C) by striking “for the first applicable fis-
7 cal year or any subsequent fiscal year”;

8 (D) by striking “subsections (a) and (b)”
9 and inserting “subsection (a)”;

10 (E) by striking “equal to—” and inserting
11 “up to 10 percent of the amount determined
12 under section 1933 for the State for the appli-
13 cable fiscal year.”; and

14 (F) by adding at the end the following:

15 “(2) LIMITATION.—

16 “(A) IN GENERAL.—A State shall not have
17 funds withheld pursuant to paragraph (1) if
18 such State for which the Secretary has made a
19 determination of noncompliance under such
20 paragraph—

21 “(i) certifies to the Secretary by May
22 1 of the fiscal year for which the funds are
23 appropriated, consistent with subparagraph
24 (B), that the State will commit additional
25 State funds, in accordance with paragraph

1 (1), to ensure that retailers do not sell to-
2 bacco products to individuals under 21
3 years of age;

4 “(ii) agrees to comply with a nego-
5 tiated agreement for a corrective action
6 plan that is approved by the Secretary and
7 carried out in accordance with guidelines
8 issued by the Secretary; or

9 “(iii) is a territory that receives less
10 than \$1,000,000 for a fiscal year under
11 section 1921.

12 “(B) CERTIFICATION.—

13 “(i) IN GENERAL.—The amount of
14 funds to be committed by a State pursuant
15 to subparagraph (A)(i) shall be equal to 1
16 percent of such State’s substance abuse al-
17 location determined under section 1933 for
18 each percentage point by which the State
19 misses the retailer compliance rate goal es-
20 tablished by the Secretary.

21 “(ii) STATE EXPENDITURES.—For a
22 fiscal year in which a State commits funds
23 as described in clause (i), such State shall
24 maintain State expenditures for tobacco
25 prevention programs and for compliance

1 activities at a level that is not less than the
2 level of such expenditures maintained by
3 the State for the preceding fiscal year, plus
4 the additional funds for tobacco compliance
5 activities required under clause (i). The
6 State shall submit a report to the Sec-
7 retary on all State obligations of funds for
8 such fiscal year and all State expenditures
9 for the preceding fiscal year for tobacco
10 prevention and compliance activities by
11 program activity by July 31 of such fiscal
12 year.

13 “(iii) DISCRETION.—The Secretary
14 shall exercise discretion in enforcing the
15 timing of the State obligation of the addi-
16 tional funds required by the certification
17 described in subparagraph (A)(i) as late as
18 July 31 of such fiscal year.

19 “(C) FAILURE TO CERTIFY.—If a State
20 described in subparagraph (A) fails to certify to
21 the Secretary pursuant to subparagraph (A)(i)
22 or enter into, or comply with, a negotiated
23 agreement under subparagraph (A)(ii), the Sec-
24 retary may take action pursuant to paragraph
25 (1).”; and

1 (6) by adding at the end the following:

2 “(c) IMPLEMENTATION OF REPORTING REQUIRE-
3 MENTS.—

4 “(1) TRANSITION PERIOD.—The Secretary
5 shall—

6 “(A) not withhold amounts under sub-
7 section (b) for the 3-year period immediately
8 following the date of enactment of division N of
9 the Further Consolidated Appropriations Act,
10 2020; and

11 “(B) use discretion in exercising its au-
12 thority under subsection (b) during the 2-year
13 period immediately following the 3-year period
14 described in subparagraph (A), to allow for a
15 transition period for implementation of the re-
16 porting requirements under subsection (a)(2).

17 “(2) REGULATIONS OR GUIDANCE.—Not later
18 than 180 days after the date of enactment of divi-
19 sion N of the Further Consolidated Appropriations
20 Act, 2020, the Secretary shall update regulations
21 under part 96 of title 45, Code of Federal Regula-
22 tions or guidance on the retailer compliance rate
23 goal under subsection (b), the use of funds provided
24 under section 1921 for purposes of meeting the re-

1 requirements of this section, and reporting require-
2 ments under subsection (a)(2).

3 “(3) COORDINATION.—The Secretary shall en-
4 sure the Assistant Secretary for Mental Health and
5 Substance Use coordinates, as appropriate, with the
6 Commissioner of Food and Drugs to ensure that the
7 technical assistance provided to States under sub-
8 section (e) is consistent with applicable regulations
9 for retailers issued under part 1140 of title 21, Code
10 of Federal Regulations.

11 “(d) TRANSITIONAL GRANTS.—

12 “(1) IN GENERAL.—The Secretary shall award
13 grants under this subsection to each State that re-
14 ceives funding under section 1921 to ensure compli-
15 ance of each such State with this section.

16 “(2) USE OF FUNDS.—A State receiving a
17 grant under this subsection—

18 “(A) shall use amounts received under
19 such grant for activities to plan for or ensure
20 compliance in the State with subsection (a); and

21 “(B) in the case of a State for which the
22 Secretary has made a determination under sub-
23 section (b) that the State is prepared to meet,
24 or has met, the requirements of subsection (a),
25 may use such funds for tobacco cessation activi-

1 ties, strategies to prevent the use of tobacco
2 products by individuals under the age of 21, or
3 allowable uses under section 1921.

4 “(3) SUPPLEMENT NOT SUPPLANT.—Grants
5 under this subsection shall be used to supplement
6 and not supplant other Federal, State, and local
7 public funds provided for activities under paragraph
8 (2).

9 “(4) AUTHORIZATION OF APPROPRIATIONS.—
10 To carry out this subsection, there are authorized to
11 be appropriated \$18,580,790 for each of fiscal years
12 2020 through 2024.

13 “(5) SUNSET.—This subsection shall have no
14 force or effect after September 30, 2024.

15 “(e) TECHNICAL ASSISTANCE.—The Secretary shall
16 provide technical assistance to States related to the activi-
17 ties required under this section.”.

18 (b) REPORT TO CONGRESS.—Not later than 3 years
19 after the date of enactment of this Act, the Secretary shall
20 submit to the Committee on Health, Education, Labor,
21 and Pensions of the Senate and the Committee on Energy
22 and Commerce of the House of Representatives a report
23 on the status of implementing the requirements of section
24 1926 of the Public Health Service Act (42 U.S.C. 300x–
25 26), as amended by subsection (a), and a description of

1 any technical assistance provided under subsection (e) of
2 such section, including the number of meetings requested
3 and held related to technical assistance.

4 (c) CONFORMING AMENDMENT.—Section 212 of divi-
5 sion D of the Consolidated Appropriations Act, 2010
6 (Public Law 111–117) is repealed.

7 **SEC. 605. BIOLOGICAL PRODUCT DEFINITION.**

8 Section 351(i)(1) of the Public Health Service Act
9 (42 U.S.C. 262(i)(1)) is amended by striking “(except any
10 chemically synthesized polypeptide)”.

11 **SEC. 606. PROTECTING ACCESS TO BIOLOGICAL PRODUCTS.**

12 Section 351(k)(7) of the Public Health Service Act
13 (42 U.S.C. 262(k)(7)) is amended by adding at the end
14 the following:

15 “(D) DEEMED LICENSES.—

16 “(i) NO ADDITIONAL EXCLUSIVITY
17 THROUGH DEEMING.—An approved appli-
18 cation that is deemed to be a license for a
19 biological product under this section pursu-
20 ant to section 7002(e)(4) of the Biologics
21 Price Competition and Innovation Act of
22 2009 shall not be treated as having been
23 first licensed under subsection (a) for pur-
24 poses of subparagraphs (A) and (B).

1 “(ii) APPLICATION OF LIMITATIONS
2 ON EXCLUSIVITY.—Subparagraph (C) shall
3 apply with respect to a reference product
4 referred to in such subparagraph that was
5 the subject of an approved application that
6 was deemed to be a license pursuant to
7 section 7002(e)(4) of the Biologics Price
8 Competition and Innovation Act of 2009.

9 “(iii) APPLICABILITY.—The exclu-
10 sivity periods described in section 527, sec-
11 tion 505A(b)(1)(A)(ii), and section
12 505A(c)(1)(A)(ii) of the Federal Food,
13 Drug, and Cosmetic Act shall continue to
14 apply to a biological product after an ap-
15 proved application for the biological prod-
16 uct is deemed to be a license for the bio-
17 logical product under subsection (a) pursu-
18 ant to section 7002(e)(4) of the Biologics
19 Price Competition and Innovation Act of
20 2009.”.

21 **SEC. 607. STREAMLINING THE TRANSITION OF BIOLOGICAL**
22 **PRODUCTS.**

23 Section 7002(e)(4) of the Biologics Price Competition
24 and Innovation Act of 2009 (Public Law 111–148) is
25 amended—

1 (1) by striking “An approved application” and
2 inserting the following:

3 “(A) IN GENERAL.—An approved applica-
4 tion”; and

5 (2) by adding at the end the following:

6 “(B) TREATMENT OF CERTAIN APPLICA-
7 TIONS.—

8 “(i) IN GENERAL.—With respect to an
9 application for a biological product sub-
10 mitted under subsection (b) or (j) of sec-
11 tion 505 of the Federal Food, Drug, and
12 Cosmetic Act (21 U.S.C. 355) that is filed
13 not later than March 23, 2019, and is not
14 approved as of March 23, 2020, the Sec-
15 retary shall continue to review such appli-
16 cation under such section 505 after March
17 23, 2020.

18 “(ii) EFFECT ON LISTED DRUGS.—
19 Only for purposes of carrying out clause
20 (i), with respect to any applicable listed
21 drug with respect to such application, the
22 following shall apply:

23 “(I) Any drug that is a biological
24 product that has been deemed licensed
25 under section 351 of the Public

1 Health Service Act (42 U.S.C. 262)
2 pursuant to subparagraph (A) and
3 that is referenced in an application
4 described in clause (i), shall continue
5 to be identified as a listed drug on the
6 list published pursuant to section
7 505(j)(7) of the Federal Food, Drug,
8 and Cosmetic Act, and the informa-
9 tion for such drug on such list shall
10 not be revised after March 20, 2020,
11 until—

12 “(aa) such drug is removed
13 from such list in accordance with
14 subclause (III) or subparagraph
15 (C) of such section 505(j)(7); or

16 “(bb) this subparagraph no
17 longer has force or effect.

18 “(II) Any drug that is a biologi-
19 cal product that has been deemed li-
20 censed under section 351 of the Pub-
21 lic Health Service Act (42 U.S.C.
22 262) pursuant to subparagraph (A)
23 and that is referenced in an applica-
24 tion described in clause (i) shall be
25 subject only to requirements applica-

1 ble to biological products licensed
2 under such section.

3 “(III) Upon approval under sub-
4 section (c) or (j) of section 505 of the
5 Federal Food, Drug, and Cosmetic
6 Act of an application described in
7 clause (i), the Secretary shall remove
8 from the list published pursuant to
9 section 505(j)(7) of the Federal Food,
10 Drug, and Cosmetic Act any listed
11 drug that is a biological product that
12 has been deemed licensed under sec-
13 tion 351 of the Public Health Service
14 Act pursuant to subparagraph (A)
15 and that is referenced in such ap-
16 proved application, unless such listed
17 drug is referenced in one or more ad-
18 ditional applications described in
19 clause (i).

20 “(iii) DEEMED LICENSURE.—Upon
21 approval of an application described in
22 clause (i), such approved application shall
23 be deemed to be a license for the biological
24 product under section 351 of the Public
25 Health Service Act.

1 “(iv) RULE OF CONSTRUCTION.—

2 “(I) APPLICATION OF CERTAIN
3 PROVISIONS.—

4 “(aa) PATENT CERTIFI-
5 CATION OR STATEMENT.—An ap-
6 plication described in clause (i)
7 shall contain a patent certifi-
8 cation or statement described in,
9 as applicable, section 505(b)(2)
10 of the Federal Food, Drug, and
11 Cosmetic Act or clauses (vii) and
12 (viii) of section 505(j)(2)(A) of
13 such Act and, with respect to any
14 listed drug referenced in such ap-
15 plication, comply with related re-
16 quirements concerning any timely
17 filed patent information listed
18 pursuant to section 505(j)(7) of
19 such Act.

20 “(bb) DATE OF AP-
21 PROVAL.—The earliest possible
22 date on which any pending appli-
23 cation described in clause (i) may
24 be approved shall be determined
25 based on—

1 “(AA) the last expira-
2 tion date of any applicable
3 period of exclusivity that
4 would prevent such approval
5 and that is described in sec-
6 tion 505(c)(3)(E),
7 505(j)(5)(B)(iv),
8 505(j)(5)(F), 505A, 505E,
9 or 527 of the Federal Food,
10 Drug, and Cosmetic Act;
11 and

12 “(BB) if the application
13 was submitted pursuant to
14 section 505(b)(2) of the
15 Federal Food, Drug, and
16 Cosmetic Act and references
17 any listed drug, the last ap-
18 plicable date determined
19 under subparagraph (A),
20 (B), or (C) of section
21 505(c)(3) of such Act, or, if
22 the application was sub-
23 mitted under section 505(j)
24 of such Act, the last applica-
25 ble date determined under

1 clause (i), (ii), or (iii) of sec-
2 tion 505(j)(5)(B) of such
3 Act.

4 “(II) EXCLUSIVITY.—Nothing in
5 this subparagraph shall be construed
6 to affect section 351(k)(7)(D) of the
7 Public Health Service Act.

8 “(v) LISTING.—The Secretary may
9 continue to review an application after
10 March 23, 2020, pursuant to clause (i),
11 and continue to identify any applicable list-
12 ed drug pursuant to clause (ii) on the list
13 published pursuant to section 505(j)(7) of
14 the Federal Food, Drug, and Cosmetic
15 Act, even if such review or listing may re-
16 veal the existence of such application and
17 the identity of any listed drug for which
18 the investigations described in section
19 505(b)(1)(A) of the Federal Food, Drug,
20 and Cosmetic Act are relied upon by the
21 applicant for approval of the pending ap-
22 plication. Nothing in this subparagraph
23 shall be construed as authorizing the Sec-
24 retary to disclose any other information
25 that is a trade secret or confidential infor-

1 mation described in section 552(b)(4) of
2 title 5, United States Code.

3 “(vi) SUNSET.—Beginning on October
4 1, 2022, this subparagraph shall have no
5 force or effect and any applications de-
6 scribed in clause (i) that have not been ap-
7 proved shall be deemed withdrawn.”.

8 **SEC. 608. REENROLLMENT OF CERTAIN INDIVIDUALS IN**
9 **QUALIFIED HEALTH PLANS IN CERTAIN EX-**
10 **CHANGES.**

11 Section 1311(c) of the Patient Protection and Afford-
12 able Care Act (42 U.S.C. 18031(c)) is amended by adding
13 the end the following new paragraph:

14 “(7) REENROLLMENT OF CERTAIN INDIVID-
15 UALS IN QUALIFIED HEALTH PLANS IN CERTAIN EX-
16 CHANGES.—

17 “(A) IN GENERAL.—In the case of an Ex-
18 change that the Secretary operates pursuant to
19 section 1321(c)(1), the Secretary shall establish
20 a process under which an individual described
21 in subparagraph (B) is reenrolled for plan year
22 2021 in a qualified health plan offered through
23 such Exchange. Such qualified health plan
24 under which such individual is so reenrolled
25 shall be—

1 “(i) if available for plan year 2021,
2 the qualified health plan under which such
3 individual is enrolled during the annual
4 open enrollment period for such plan year;
5 and

6 “(ii) if such qualified health plan is
7 not available for plan year 2021, a quali-
8 fied health plan offered through such Ex-
9 change determined appropriate by the Sec-
10 retary.

11 “(B) INDIVIDUAL DESCRIBED.—An indi-
12 vidual described in this subsection is an indi-
13 vidual who, with respect to plan year 2020—

14 “(i) resides in a State with an Ex-
15 change described in subparagraph (A);

16 “(ii) is enrolled in a qualified health
17 plan during such plan year and does not
18 enroll in a qualified health plan for plan
19 year 2021 during the annual open enroll-
20 ment period for such plan year 2021; and

21 “(iii) does not elect to disenroll under
22 a qualified health plan for plan year 2021
23 during such annual open enrollment pe-
24 riod.”.

1 **SEC. 609. PROTECTION OF SILVER LOADING PRACTICE.**

2 With respect to plan year 2021, the Secretary of
3 Health and Human Services may not take any action to
4 prohibit or otherwise restrict the practice commonly
5 known as “silver loading” (as described in the rule entitled
6 “Patient Protection and Affordable Care Act; HHS Notice
7 of Benefit and Payment Parameters for 2020” published
8 on April 25, 2019 (84 Fed. Reg. 17533)).

9 **SEC. 610. ACTIONS FOR DELAYS OF GENERIC DRUGS AND**
10 **BIOSIMILAR BIOLOGICAL PRODUCTS.**

11 (a) DEFINITIONS.—In this section—

12 (1) the term “commercially reasonable, market-
13 based terms” means—

14 (A) a nondiscriminatory price for the sale
15 of the covered product at or below, but not
16 greater than, the most recent wholesale acquisi-
17 tion cost for the drug, as defined in section
18 1847A(c)(6)(B) of the Social Security Act (42
19 U.S.C. 1395w–3a(c)(6)(B));

20 (B) a schedule for delivery that results in
21 the transfer of the covered product to the eligi-
22 ble product developer consistent with the timing
23 under subsection (b)(2)(A)(iv); and

24 (C) no additional conditions are imposed
25 on the sale of the covered product;

26 (2) the term “covered product”—

1 (A) means—

2 (i) any drug approved under sub-
3 section (c) or (j) of section 505 of the Fed-
4 eral Food, Drug, and Cosmetic Act (21
5 U.S.C. 355) or biological product licensed
6 under subsection (a) or (k) of section 351
7 of the Public Health Service Act (42
8 U.S.C. 262);

9 (ii) any combination of a drug or bio-
10 logical product described in clause (i); or

11 (iii) when reasonably necessary to
12 support approval of an application under
13 section 505 of the Federal Food, Drug,
14 and Cosmetic Act (21 U.S.C. 355), or sec-
15 tion 351 of the Public Health Service Act
16 (42 U.S.C. 262), as applicable, or other-
17 wise meet the requirements for approval
18 under either such section, any product, in-
19 cluding any device, that is marketed or in-
20 tended for use with such a drug or biologi-
21 cal product; and

22 (B) does not include any drug or biological
23 product that appears on the drug shortage list
24 in effect under section 506E of the Federal

1 Food, Drug, and Cosmetic Act (21 U.S.C.
2 356e), unless—

3 (i) the drug or biological product has
4 been on the drug shortage list in effect
5 under such section 506E continuously for
6 more than 6 months; or

7 (ii) the Secretary determines that in-
8 clusion of the drug or biological product as
9 a covered product is likely to contribute to
10 alleviating or preventing a shortage.

11 (3) the term “device” has the meaning given
12 the term in section 201 of the Federal Food, Drug,
13 and Cosmetic Act (21 U.S.C. 321);

14 (4) the term “eligible product developer” means
15 a person that seeks to develop a product for ap-
16 proval pursuant to an application for approval under
17 subsection (b)(2) or (j) of section 505 of the Federal
18 Food, Drug, and Cosmetic Act (21 U.S.C. 355) or
19 for licensing pursuant to an application under sec-
20 tion 351(k) of the Public Health Service Act (42
21 U.S.C. 262(k));

22 (5) the term “license holder” means the holder
23 of an application approved under subsection (c) or
24 (j) of section 505 of the Federal Food, Drug, and
25 Cosmetic Act (21 U.S.C. 355) or the holder of a li-

1 cense under subsection (a) or (k) of section 351 of
2 the Public Health Service Act (42 U.S.C. 262) for
3 a covered product;

4 (6) the term “REMS” means a risk evaluation
5 and mitigation strategy under section 505–1 of the
6 Federal Food, Drug, and Cosmetic Act (21 U.S.C.
7 355–1);

8 (7) the term “REMS with ETASU” means a
9 REMS that contains elements to assure safe use
10 under section 505–1(f) of the Federal Food, Drug,
11 and Cosmetic Act (21 U.S.C. 355–1(f));

12 (8) the term “Secretary” means the Secretary
13 of Health and Human Services;

14 (9) the term “single, shared system of elements
15 to assure safe use” means a single, shared system
16 of elements to assure safe use under section 505–
17 1(f) of the Federal Food, Drug, and Cosmetic Act
18 (21 U.S.C. 355–1(f)); and

19 (10) the term “sufficient quantities” means an
20 amount of a covered product that the eligible prod-
21 uct developer determines allows it to—

22 (A) conduct testing to support an applica-
23 tion under—

1 (i) subsection (b)(2) or (j) of section
2 505 of the Federal Food, Drug, and Cos-
3 metic Act (21 U.S.C. 355); or

4 (ii) section 351(k) of the Public
5 Health Service Act (42 U.S.C. 262(k));
6 and

7 (B) fulfill any regulatory requirements re-
8 lating to approval of such an application.

9 (b) CIVIL ACTION FOR FAILURE TO PROVIDE SUFFI-
10 CIENT QUANTITIES OF A COVERED PRODUCT.—

11 (1) IN GENERAL.—An eligible product developer
12 may bring a civil action against the license holder
13 for a covered product seeking relief under this sub-
14 section in an appropriate district court of the United
15 States alleging that the license holder has declined
16 to provide sufficient quantities of the covered prod-
17 uct to the eligible product developer on commercially
18 reasonable, market-based terms.

19 (2) ELEMENTS.—

20 (A) IN GENERAL.—To prevail in a civil ac-
21 tion brought under paragraph (1), an eligible
22 product developer shall prove, by a preponder-
23 ance of the evidence—

24 (i) that—

1 (I) the covered product is not
2 subject to a REMS with ETASU; or

3 (II) if the covered product is sub-
4 ject to a REMS with ETASU—

5 (aa) the eligible product de-
6 veloper has obtained a covered
7 product authorization from the
8 Secretary in accordance with sub-
9 paragraph (B); and

10 (bb) the eligible product de-
11 veloper has provided a copy of
12 the covered product authorization
13 to the license holder;

14 (ii) that, as of the date on which the
15 civil action is filed, the eligible product de-
16 veloper has not obtained sufficient quan-
17 tities of the covered product on commer-
18 cially reasonable, market-based terms;

19 (iii) that the eligible product developer
20 has submitted a written request to pur-
21 chase sufficient quantities of the covered
22 product to the license holder, and such re-
23 quest—

24 (I) was sent to a named cor-
25 porate officer of the license holder;

1 (II) was made by certified or reg-
2 istered mail with return receipt re-
3 quested;

4 (III) specified an individual as
5 the point of contact for the license
6 holder to direct communications re-
7 lated to the sale of the covered prod-
8 uct to the eligible product developer
9 and a means for electronic and writ-
10 ten communications with that indi-
11 vidual; and

12 (IV) specified an address to
13 which the covered product was to be
14 shipped upon reaching an agreement
15 to transfer the covered product; and

16 (iv) that the license holder has not de-
17 livered to the eligible product developer
18 sufficient quantities of the covered product
19 on commercially reasonable, market-based
20 terms—

21 (I) for a covered product that is
22 not subject to a REMS with ETASU,
23 by the date that is 31 days after the
24 date on which the license holder re-

1 ceived the request for the covered
2 product; and

3 (II) for a covered product that is
4 subject to a REMS with ETASU, by
5 31 days after the later of—

6 (aa) the date on which the
7 license holder received the re-
8 quest for the covered product; or

9 (bb) the date on which the
10 license holder received a copy of
11 the covered product authorization
12 issued by the Secretary in ac-
13 cordance with subparagraph (B).

14 (B) AUTHORIZATION FOR COVERED PROD-
15 UCT SUBJECT TO A REMS WITH ETASU.—

16 (i) REQUEST.—An eligible product de-
17 veloper may submit to the Secretary a
18 written request for the eligible product de-
19 veloper to be authorized to obtain suffi-
20 cient quantities of an individual covered
21 product subject to a REMS with ETASU.

22 (ii) AUTHORIZATION.—Not later than
23 120 days after the date on which a request
24 under clause (i) is received, the Secretary
25 shall, by written notice, authorize the eligi-

1 ble product developer to obtain sufficient
2 quantities of an individual covered product
3 subject to a REMS with ETASU for pur-
4 poses of—

5 (I) development and testing that
6 does not involve human clinical trials,
7 if the eligible product developer has
8 agreed to comply with any conditions
9 the Secretary determines necessary; or

10 (II) development and testing that
11 involves human clinical trials, if the
12 eligible product developer has—

13 (aa)(AA) submitted proto-
14 cols, informed consent docu-
15 ments, and informational mate-
16 rials for testing that include pro-
17 tections that provide safety pro-
18 tections comparable to those pro-
19 vided by the REMS for the cov-
20 ered product; or

21 (BB) otherwise satisfied the
22 Secretary that such protections
23 will be provided; and

1 (bb) met any other require-
2 ments the Secretary may estab-
3 lish.

4 (iii) NOTICE.—A covered product au-
5 thorization issued under this subparagraph
6 shall state that the provision of the covered
7 product by the license holder under the
8 terms of the authorization will not be a
9 violation of the REMS for the covered
10 product.

11 (3) AFFIRMATIVE DEFENSE.—In a civil action
12 brought under paragraph (1), it shall be an affirma-
13 tive defense, on which the defendant has the burden
14 of persuasion by a preponderance of the evidence—

15 (A) that, on the date on which the eligible
16 product developer requested to purchase suffi-
17 cient quantities of the covered product from the
18 license holder—

19 (i) neither the license holder nor any
20 of its agents, wholesalers, or distributors
21 was engaged in the manufacturing or com-
22 mercial marketing of the covered product;
23 and

24 (ii) neither the license holder nor any
25 of its agents, wholesalers, or distributors

1 otherwise had access to inventory of the
2 covered product to supply to the eligible
3 product developer on commercially reason-
4 able, market-based terms;

5 (B) that—

6 (i) the license holder sells the covered
7 product through agents, distributors, or
8 wholesalers;

9 (ii) the license holder has placed no
10 restrictions, explicit or implicit, on its
11 agents, distributors, or wholesalers to sell
12 covered products to eligible product devel-
13 opers; and

14 (iii) the covered product can be pur-
15 chased by the eligible product developer in
16 sufficient quantities on commercially rea-
17 sonable, market-based terms from the
18 agents, distributors, or wholesalers of the
19 license holder; or

20 (C) that the license holder made an offer
21 to the individual specified pursuant to para-
22 graph (2)(A)(iii)(III), by a means of commu-
23 nication (electronic, written, or both) specified
24 pursuant to such paragraph, to sell sufficient
25 quantities of the covered product to the eligible

1 product developer at commercially reasonable
2 market-based terms—

3 (i) for a covered product that is not
4 subject to a REMS with ETASU, by the
5 date that is 14 days after the date on
6 which the license holder received the re-
7 quest for the covered product, and the eli-
8 gible product developer did not accept such
9 offer by the date that is 7 days after the
10 date on which the eligible product devel-
11 oper received such offer from the license
12 holder; or

13 (ii) for a covered product that is sub-
14 ject to a REMS with ETASU, by the date
15 that is 20 days after the date on which the
16 license holder received the request for the
17 covered product, and the eligible product
18 developer did not accept such offer by the
19 date that is 10 days after the date on
20 which the eligible product developer re-
21 ceived such offer from the license holder.

22 (4) REMEDIES.—

23 (A) IN GENERAL.—If an eligible product
24 developer prevails in a civil action brought
25 under paragraph (1), the court shall—

1 (i) order the license holder to provide
2 to the eligible product developer without
3 delay sufficient quantities of the covered
4 product on commercially reasonable, mar-
5 ket-based terms;

6 (ii) award to the eligible product de-
7 veloper reasonable attorney's fees and costs
8 of the civil action; and

9 (iii) award to the eligible product de-
10 veloper a monetary amount sufficient to
11 deter the license holder from failing to pro-
12 vide eligible product developers with suffi-
13 cient quantities of a covered product on
14 commercially reasonable, market-based
15 terms, if the court finds, by a preponder-
16 ance of the evidence—

17 (I) that the license holder delayed
18 providing sufficient quantities of the
19 covered product to the eligible product
20 developer without a legitimate busi-
21 ness justification; or

22 (II) that the license holder failed
23 to comply with an order issued under
24 clause (i).

1 (B) MAXIMUM MONETARY AMOUNT.—A
2 monetary amount awarded under subparagraph
3 (A)(iii) shall not be greater than the revenue
4 that the license holder earned on the covered
5 product during the period—

6 (i) beginning on—

7 (I) for a covered product that is
8 not subject to a REMS with ETASU,
9 the date that is 31 days after the date
10 on which the license holder received
11 the request; or

12 (II) for a covered product that is
13 subject to a REMS with ETASU, the
14 date that is 31 days after the later
15 of—

16 (aa) the date on which the
17 license holder received the re-
18 quest; or

19 (bb) the date on which the
20 license holder received a copy of
21 the covered product authorization
22 issued by the Secretary in ac-
23 cordance with paragraph (2)(B);
24 and

1 (ii) ending on the date on which the
2 eligible product developer received suffi-
3 cient quantities of the covered product.

4 (C) AVOIDANCE OF DELAY.—The court
5 may issue an order under subparagraph (A)(i)
6 before conducting further proceedings that may
7 be necessary to determine whether the eligible
8 product developer is entitled to an award under
9 clause (ii) or (iii) of subparagraph (A), or the
10 amount of any such award.

11 (c) LIMITATION OF LIABILITY.—A license holder for
12 a covered product shall not be liable for any claim under
13 Federal, State, or local law arising out of the failure of
14 an eligible product developer to follow adequate safeguards
15 to assure safe use of the covered product during develop-
16 ment or testing activities described in this section, includ-
17 ing transportation, handling, use, or disposal of the cov-
18 ered product by the eligible product developer.

19 (d) NO VIOLATION OF REMS.—Section 505–1 of the
20 Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–
21 1) is amended by adding at the end the following new sub-
22 section:

23 “(1) PROVISION OF SAMPLES NOT A VIOLATION OF
24 STRATEGY.—The provision of samples of a covered prod-
25 uct to an eligible product developer (as those terms are

1 defined in section 610(a) of division N of the Further Con-
2 solidated Appropriations Act, 2020) shall not be consid-
3 ered a violation of the requirements of any risk evaluation
4 and mitigation strategy that may be in place under this
5 section for such drug.”.

6 (e) RULE OF CONSTRUCTION.—

7 (1) DEFINITION.—In this subsection, the term
8 “antitrust laws”—

9 (A) has the meaning given the term in
10 subsection (a) of the first section of the Clayton
11 Act (15 U.S.C. 12); and

12 (B) includes section 5 of the Federal
13 Trade Commission Act (15 U.S.C. 45) to the
14 extent that such section applies to unfair meth-
15 ods of competition.

16 (2) ANTITRUST LAWS.—Nothing in this section
17 shall be construed to limit the operation of any pro-
18 vision of the antitrust laws.

19 (f) REMS APPROVAL PROCESS FOR SUBSEQUENT
20 FILERS.—Section 505–1 of the Federal Food, Drug, and
21 Cosmetic Act (21 U.S.C. 355–1), as amended by sub-
22 section (d), is further amended—

23 (1) in subsection (g)(4)(B)—

24 (A) in clause (i) by striking “or” after the
25 semicolon;

1 (B) in clause (ii) by striking the period at
2 the end and inserting “; or”; and

3 (C) by adding at the end the following:

4 “(iii) accommodate different, com-
5 parable aspects of the elements to assure
6 safe use for a drug that is the subject of
7 an application under section 505(j), and
8 the applicable listed drug.”;

9 (2) in subsection (i)(1), by striking subpara-
10 graph (C) and inserting the following:

11 “(C)(i) Elements to assure safe use, if re-
12 quired under subsection (f) for the listed drug,
13 which, subject to clause (ii), for a drug that is
14 the subject of an application under section
15 505(j) may use—

16 “(I) a single, shared system with the
17 listed drug under subsection (f); or

18 “(II) a different, comparable aspect of
19 the elements to assure safe use under sub-
20 section (f).

21 “(ii) The Secretary may require a drug
22 that is the subject of an application under sec-
23 tion 505(j) and the listed drug to use a single,
24 shared system under subsection (f), if the Sec-
25 retary determines that no different, comparable

1 aspect of the elements to assure safe use could
2 satisfy the requirements of subsection (f).”;

3 (3) in subsection (i), by adding at the end the
4 following:

5 “(3) SHARED REMS.—If the Secretary ap-
6 proves, in accordance with paragraph (1)(C)(i)(II), a
7 different, comparable aspect of the elements to as-
8 sure safe use under subsection (f) for a drug that
9 is the subject of an abbreviated new drug application
10 under section 505(j), the Secretary may require that
11 such different comparable aspect of the elements to
12 assure safe use can be used with respect to any
13 other drug that is the subject of an application
14 under section 505(j) or 505(b) that references the
15 same listed drug.”; and

16 (4) by adding at the end the following:

17 “(m) SEPARATE REMS.—When used in this section,
18 the term ‘different, comparable aspect of the elements to
19 assure safe use’ means a risk evaluation and mitigation
20 strategy for a drug that is the subject of an application
21 under section 505(j) that uses different methods or oper-
22 ational means than the strategy required under subsection
23 (a) for the applicable listed drug, or other application
24 under section 505(j) with the same such listed drug, but
25 achieves the same level of safety as such strategy.”.

1 (g) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion, the amendments made by this section, or in section
3 505–1 of the Federal Food, Drug, and Cosmetic Act (21
4 U.S.C. 355–1), shall be construed as—

5 (1) prohibiting a license holder from providing
6 an eligible product developer access to a covered
7 product in the absence of an authorization under
8 this section; or

9 (2) in any way negating the applicability of a
10 REMS with ETASU, as otherwise required under
11 such section 505–1, with respect to such covered
12 product.

1 **DIVISION O—SETTING EVERY**
2 **COMMUNITY UP FOR RETIRE-**
3 **MENT ENHANCEMENT**

4 **SEC. 1. SHORT TITLE, ETC.**

5 (a) **SHORT TITLE.**—This Act may be cited as the
6 “Setting Every Community Up for Retirement Enhance-
7 ment Act of 2019”.

8 (b) **TABLE OF CONTENTS.**—The table of contents of
9 this Act is as follows:

Sec. 1. Short title, etc.

TITLE I—EXPANDING AND PRESERVING RETIREMENT SAVINGS

Sec. 101. Multiple employer plans; pooled employer plans.

Sec. 102. Increase in 10 percent cap for automatic enrollment safe harbor after
1st plan year.

Sec. 103. Rules relating to election of safe harbor 401(k) status.

Sec. 104. Increase in credit limitation for small employer pension plan startup
costs.

Sec. 105. Small employer automatic enrollment credit.

Sec. 106. Certain taxable non-tuition fellowship and stipend payments treated
as compensation for IRA purposes.

Sec. 107. Repeal of maximum age for traditional IRA contributions.

Sec. 108. Qualified employer plans prohibited from making loans through credit
cards and other similar arrangements.

Sec. 109. Portability of lifetime income options.

Sec. 110. Treatment of custodial accounts on termination of section 403(b)
plans.

Sec. 111. Clarification of retirement income account rules relating to church-
controlled organizations.

Sec. 112. Qualified cash or deferred arrangements must allow long-term em-
ployees working more than 500 but less than 1,000 hours per
year to participate.

Sec. 113. Penalty-free withdrawals from retirement plans for individuals in case
of birth of child or adoption.

Sec. 114. Increase in age for required beginning date for mandatory distribu-
tions.

Sec. 115. Special rules for minimum funding standards for community news-
paper plans.

Sec. 116. Treating excluded difficulty of care payments as compensation for de-
termining retirement contribution limitations.

TITLE II—ADMINISTRATIVE IMPROVEMENTS

- Sec. 201. Plan adopted by filing due date for year may be treated as in effect as of close of year.
- Sec. 202. Combined annual report for group of plans.
- Sec. 203. Disclosure regarding lifetime income.
- Sec. 204. Fiduciary safe harbor for selection of lifetime income provider.
- Sec. 205. Modification of nondiscrimination rules to protect older, longer service participants.
- Sec. 206. Modification of PBGC premiums for CSEC plans.

TITLE III—OTHER BENEFITS

- Sec. 301. Benefits provided to volunteer firefighters and emergency medical responders.
- Sec. 302. Expansion of section 529 plans.

TITLE IV—REVENUE PROVISIONS

- Sec. 401. Modification of required distribution rules for designated beneficiaries.
- Sec. 402. Increase in penalty for failure to file.
- Sec. 403. Increased penalties for failure to file retirement plan returns.
- Sec. 404. Increase information sharing to administer excise taxes.

TITLE V—TAX RELIEF FOR CERTAIN CHILDREN

- Sec. 501. Modification of rules relating to the taxation of unearned income of certain children.

TITLE VI—ADMINISTRATIVE PROVISIONS

- Sec. 601. Provisions relating to plan amendments.

1 **TITLE I—EXPANDING AND PRE-**
2 **SERVING RETIREMENT SAV-**
3 **INGS**

4 **SEC. 101. MULTIPLE EMPLOYER PLANS; POOLED EM-**
5 **PLOYER PLANS.**

6 (a) QUALIFICATION REQUIREMENTS.—

7 (1) IN GENERAL.—Section 413 of the Internal
8 Revenue Code of 1986 is amended by adding at the
9 end the following new subsection:

10 “(e) APPLICATION OF QUALIFICATION REQUIRE-
11 MENTS FOR CERTAIN MULTIPLE EMPLOYER PLANS WITH
12 POOLED PLAN PROVIDERS.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), if a defined contribution plan to which
3 subsection (c) applies—

4 “(A) is maintained by employers which
5 have a common interest other than having
6 adopted the plan, or

7 “(B) in the case of a plan not described in
8 subparagraph (A), has a pooled plan provider,
9 then the plan shall not be treated as failing to meet
10 the requirements under this title applicable to a plan
11 described in section 401(a) or to a plan that consists
12 of individual retirement accounts described in sec-
13 tion 408 (including by reason of subsection (c)
14 thereof), whichever is applicable, merely because one
15 or more employers of employees covered by the plan
16 fail to take such actions as are required of such em-
17 ployers for the plan to meet such requirements.

18 “(2) LIMITATIONS.—

19 “(A) IN GENERAL.—Paragraph (1) shall
20 not apply to any plan unless the terms of the
21 plan provide that in the case of any employer
22 in the plan failing to take the actions described
23 in paragraph (1)—

24 “(i) the assets of the plan attributable
25 to employees of such employer (or bene-

1 ficiaries of such employees) will be trans-
2 ferred to a plan maintained only by such
3 employer (or its successor), to an eligible
4 retirement plan as defined in section
5 402(c)(8)(B) for each individual whose ac-
6 count is transferred, or to any other ar-
7 rangement that the Secretary determines is
8 appropriate, unless the Secretary deter-
9 mines it is in the best interests of the em-
10 ployees of such employer (and the bene-
11 ficiaries of such employees) to retain the
12 assets in the plan, and

13 “(ii) such employer (and not the plan
14 with respect to which the failure occurred
15 or any other employer in such plan) shall,
16 except to the extent provided by the Sec-
17 retary, be liable for any liabilities with re-
18 spect to such plan attributable to employ-
19 ees of such employer (or beneficiaries of
20 such employees).

21 “(B) FAILURES BY POOLED PLAN PRO-
22 VIDERS.—If the pooled plan provider of a plan
23 described in paragraph (1)(B) does not perform
24 substantially all of the administrative duties
25 which are required of the provider under para-

1 graph (3)(A)(i) for any plan year, the Secretary
2 may provide that the determination as to
3 whether the plan meets the requirements under
4 this title applicable to a plan described in sec-
5 tion 401(a) or to a plan that consists of indi-
6 vidual retirement accounts described in section
7 408 (including by reason of subsection (c)
8 thereof), whichever is applicable, shall be made
9 in the same manner as would be made without
10 regard to paragraph (1).

11 “(3) POOLED PLAN PROVIDER.—

12 “(A) IN GENERAL.—For purposes of this
13 subsection, the term ‘pooled plan provider’
14 means, with respect to any plan, a person
15 who—

16 “(i) is designated by the terms of the
17 plan as a named fiduciary (within the
18 meaning of section 402(a)(2) of the Em-
19 ployee Retirement Income Security Act of
20 1974), as the plan administrator, and as
21 the person responsible to perform all ad-
22 ministrative duties (including conducting
23 proper testing with respect to the plan and
24 the employees of each employer in the

1 plan) which are reasonably necessary to
2 ensure that—

3 “(I) the plan meets any require-
4 ment applicable under the Employee
5 Retirement Income Security Act of
6 1974 or this title to a plan described
7 in section 401(a) or to a plan that
8 consists of individual retirement ac-
9 counts described in section 408 (in-
10 cluding by reason of subsection (c)
11 thereof), whichever is applicable, and

12 “(II) each employer in the plan
13 takes such actions as the Secretary or
14 such person determines are necessary
15 for the plan to meet the requirements
16 described in subclause (I), including
17 providing to such person any disclo-
18 sures or other information which the
19 Secretary may require or which such
20 person otherwise determines are nec-
21 essary to administer the plan or to
22 allow the plan to meet such require-
23 ments,

24 “(ii) registers as a pooled plan pro-
25 vider with the Secretary, and provides such

1 other information to the Secretary as the
2 Secretary may require, before beginning
3 operations as a pooled plan provider,

4 “(iii) acknowledges in writing that
5 such person is a named fiduciary (within
6 the meaning of section 402(a)(2) of the
7 Employee Retirement Income Security Act
8 of 1974), and the plan administrator, with
9 respect to the plan, and

10 “(iv) is responsible for ensuring that
11 all persons who handle assets of, or who
12 are fiduciaries of, the plan are bonded in
13 accordance with section 412 of the Em-
14 ployee Retirement Income Security Act of
15 1974.

16 “(B) AUDITS, EXAMINATIONS AND INVES-
17 TIGATIONS.—The Secretary may perform au-
18 dits, examinations, and investigations of pooled
19 plan providers as may be necessary to enforce
20 and carry out the purposes of this subsection.

21 “(C) AGGREGATION RULES.—For purposes
22 of this paragraph, in determining whether a
23 person meets the requirements of this para-
24 graph to be a pooled plan provider with respect
25 to any plan, all persons who perform services

1 for the plan and who are treated as a single
2 employer under subsection (b), (c), (m), or (o)
3 of section 414 shall be treated as one person.

4 “(D) TREATMENT OF EMPLOYERS AS PLAN
5 SPONSORS.—Except with respect to the admin-
6 istrative duties of the pooled plan provider de-
7 scribed in subparagraph (A)(i), each employer
8 in a plan which has a pooled plan provider shall
9 be treated as the plan sponsor with respect to
10 the portion of the plan attributable to employ-
11 ees of such employer (or beneficiaries of such
12 employees).

13 “(4) GUIDANCE.—

14 “(A) IN GENERAL.—The Secretary shall
15 issue such guidance as the Secretary determines
16 appropriate to carry out this subsection, includ-
17 ing guidance—

18 “(i) to identify the administrative du-
19 ties and other actions required to be per-
20 formed by a pooled plan provider under
21 this subsection,

22 “(ii) which describes the procedures to
23 be taken to terminate a plan which fails to
24 meet the requirements to be a plan de-
25 scribed in paragraph (1), including the

1 proper treatment of, and actions needed to
2 be taken by, any employer in the plan and
3 the assets and liabilities of the plan attrib-
4 utable to employees of such employer (or
5 beneficiaries of such employees), and

6 “(iii) identifying appropriate cases to
7 which the rules of paragraph (2)(A) will
8 apply to employers in the plan failing to
9 take the actions described in paragraph
10 (1).

11 The Secretary shall take into account under
12 clause (iii) whether the failure of an employer
13 or pooled plan provider to provide any disclo-
14 sures or other information, or to take any other
15 action, necessary to administer a plan or to
16 allow a plan to meet requirements applicable to
17 the plan under section 401(a) or 408, whichever
18 is applicable, has continued over a period of
19 time that demonstrates a lack of commitment
20 to compliance.

21 “(B) GOOD FAITH COMPLIANCE WITH LAW
22 BEFORE GUIDANCE.—An employer or pooled
23 plan provider shall not be treated as failing to
24 meet a requirement of guidance issued by the
25 Secretary under this paragraph if, before the

1 issuance of such guidance, the employer or
2 pooled plan provider complies in good faith with
3 a reasonable interpretation of the provisions of
4 this subsection to which such guidance relates.

5 “(5) MODEL PLAN.—The Secretary shall pub-
6 lish model plan language which meets the require-
7 ments of this subsection and of paragraphs (43) and
8 (44) of section 3 of the Employee Retirement In-
9 come Security Act of 1974 and which may be adopt-
10 ed in order for a plan to be treated as a plan de-
11 scribed in paragraph (1)(B).”.

12 (2) CONFORMING AMENDMENT.—Section
13 413(c)(2) of such Code is amended by striking “sec-
14 tion 401(a)” and inserting “sections 401(a) and
15 408(c)”.

16 (3) TECHNICAL AMENDMENT.—Section 408(c)
17 of such Code is amended by inserting after para-
18 graph (2) the following new paragraph:

19 “(3) There is a separate accounting for any in-
20 terest of an employee or member (or spouse of an
21 employee or member) in a Roth IRA.”.

22 (b) NO COMMON INTEREST REQUIRED FOR POOLED
23 EMPLOYER PLANS.—Section 3(2) of the Employee Retire-
24 ment Income Security Act of 1974 (29 U.S.C. 1002(2))
25 is amended by adding at the end the following:

1 “(C) A pooled employer plan shall be treat-
2 ed as—

3 “(i) a single employee pension benefit
4 plan or single pension plan; and

5 “(ii) a plan to which section 210(a)
6 applies.”.

7 (c) POOLED EMPLOYER PLAN AND PROVIDER DE-
8 FINED.—

9 (1) IN GENERAL.—Section 3 of the Employee
10 Retirement Income Security Act of 1974 (29 U.S.C.
11 1002) is amended by adding at the end the fol-
12 lowing:

13 “(43) POOLED EMPLOYER PLAN.—

14 “(A) IN GENERAL.—The term ‘pooled em-
15 ployer plan’ means a plan—

16 “(i) which is an individual account
17 plan established or maintained for the pur-
18 pose of providing benefits to the employees
19 of 2 or more employers;

20 “(ii) which is a plan described in sec-
21 tion 401(a) of the Internal Revenue Code
22 of 1986 which includes a trust exempt
23 from tax under section 501(a) of such
24 Code or a plan that consists of individual
25 retirement accounts described in section

1 408 of such Code (including by reason of
2 subsection (c) thereof); and

3 “(iii) the terms of which meet the re-
4 quirements of subparagraph (B).

5 Such term shall not include a plan maintained
6 by employers which have a common interest
7 other than having adopted the plan.

8 “(B) REQUIREMENTS FOR PLAN TERMS.—
9 The requirements of this subparagraph are met
10 with respect to any plan if the terms of the
11 plan—

12 “(i) designate a pooled plan provider
13 and provide that the pooled plan provider
14 is a named fiduciary of the plan;

15 “(ii) designate one or more trustees
16 meeting the requirements of section
17 408(a)(2) of the Internal Revenue Code of
18 1986 (other than an employer in the plan)
19 to be responsible for collecting contribu-
20 tions to, and holding the assets of, the
21 plan and require such trustees to imple-
22 ment written contribution collection proce-
23 dures that are reasonable, diligent, and
24 systematic;

1 “(iii) provide that each employer in
2 the plan retains fiduciary responsibility
3 for—

4 “(I) the selection and monitoring
5 in accordance with section 404(a) of
6 the person designated as the pooled
7 plan provider and any other person
8 who, in addition to the pooled plan
9 provider, is designated as a named fi-
10 duciary of the plan; and

11 “(II) to the extent not otherwise
12 delegated to another fiduciary by the
13 pooled plan provider and subject to
14 the provisions of section 404(c), the
15 investment and management of the
16 portion of the plan’s assets attrib-
17 utable to the employees of the em-
18 ployer (or beneficiaries of such em-
19 ployees);

20 “(iv) provide that employers in the
21 plan, and participants and beneficiaries,
22 are not subject to unreasonable restric-
23 tions, fees, or penalties with regard to
24 ceasing participation, receipt of distribu-
25 tions, or otherwise transferring assets of

1 the plan in accordance with section 208 or
2 paragraph (44)(C)(i)(II);

3 “(v) require—

4 “(I) the pooled plan provider to
5 provide to employers in the plan any
6 disclosures or other information which
7 the Secretary may require, including
8 any disclosures or other information
9 to facilitate the selection or any moni-
10 toring of the pooled plan provider by
11 employers in the plan; and

12 “(II) each employer in the plan
13 to take such actions as the Secretary
14 or the pooled plan provider determines
15 are necessary to administer the plan
16 or for the plan to meet any require-
17 ment applicable under this Act or the
18 Internal Revenue Code of 1986 to a
19 plan described in section 401(a) of
20 such Code or to a plan that consists
21 of individual retirement accounts de-
22 scribed in section 408 of such Code
23 (including by reason of subsection (c)
24 thereof), whichever is applicable, in-
25 cluding providing any disclosures or

1 other information which the Secretary
2 may require or which the pooled plan
3 provider otherwise determines are nec-
4 essary to administer the plan or to
5 allow the plan to meet such require-
6 ments; and

7 “(vi) provide that any disclosure or
8 other information required to be provided
9 under clause (v) may be provided in elec-
10 tronic form and will be designed to ensure
11 only reasonable costs are imposed on
12 pooled plan providers and employers in the
13 plan.

14 “(C) EXCEPTIONS.—The term ‘pooled em-
15 ployer plan’ does not include—

16 “(i) a multiemployer plan; or

17 “(ii) a plan established before the
18 date of the enactment of the Setting Every
19 Community Up for Retirement Enhance-
20 ment Act of 2019 unless the plan adminis-
21 trator elects that the plan will be treated
22 as a pooled employer plan and the plan
23 meets the requirements of this title appli-
24 cable to a pooled employer plan established
25 on or after such date.

1 “(D) TREATMENT OF EMPLOYERS AS PLAN
2 SPONSORS.—Except with respect to the admin-
3 istrative duties of the pooled plan provider de-
4 scribed in paragraph (44)(A)(i), each employer
5 in a pooled employer plan shall be treated as
6 the plan sponsor with respect to the portion of
7 the plan attributable to employees of such em-
8 ployer (or beneficiaries of such employees).

9 “(44) POOLED PLAN PROVIDER.—

10 “(A) IN GENERAL.—The term ‘pooled plan
11 provider’ means a person who—

12 “(i) is designated by the terms of a
13 pooled employer plan as a named fiduciary,
14 as the plan administrator, and as the per-
15 son responsible for the performance of all
16 administrative duties (including conducting
17 proper testing with respect to the plan and
18 the employees of each employer in the
19 plan) which are reasonably necessary to
20 ensure that—

21 “(I) the plan meets any require-
22 ment applicable under this Act or the
23 Internal Revenue Code of 1986 to a
24 plan described in section 401(a) of
25 such Code or to a plan that consists

1 of individual retirement accounts de-
2 scribed in section 408 of such Code
3 (including by reason of subsection (c)
4 thereof), whichever is applicable; and

5 “(II) each employer in the plan
6 takes such actions as the Secretary or
7 pooled plan provider determines are
8 necessary for the plan to meet the re-
9 quirements described in subclause (I),
10 including providing the disclosures
11 and information described in para-
12 graph (43)(B)(v)(II);

13 “(ii) registers as a pooled plan pro-
14 vider with the Secretary, and provides to
15 the Secretary such other information as
16 the Secretary may require, before begin-
17 ning operations as a pooled plan provider;

18 “(iii) acknowledges in writing that
19 such person is a named fiduciary, and the
20 plan administrator, with respect to the
21 pooled employer plan; and

22 “(iv) is responsible for ensuring that
23 all persons who handle assets of, or who
24 are fiduciaries of, the pooled employer plan
25 are bonded in accordance with section 412.

1 “(B) AUDITS, EXAMINATIONS AND INVES-
2 TIGATIONS.—The Secretary may perform au-
3 dits, examinations, and investigations of pooled
4 plan providers as may be necessary to enforce
5 and carry out the purposes of this paragraph
6 and paragraph (43).

7 “(C) GUIDANCE.—The Secretary shall
8 issue such guidance as the Secretary determines
9 appropriate to carry out this paragraph and
10 paragraph (43), including guidance—

11 “(i) to identify the administrative du-
12 ties and other actions required to be per-
13 formed by a pooled plan provider under ei-
14 ther such paragraph; and

15 “(ii) which requires in appropriate
16 cases that if an employer in the plan fails
17 to take the actions required under sub-
18 paragraph (A)(i)(II)—

19 “(I) the assets of the plan attrib-
20 utable to employees of such employer
21 (or beneficiaries of such employees)
22 are transferred to a plan maintained
23 only by such employer (or its suc-
24 cessor), to an eligible retirement plan
25 as defined in section 402(c)(8)(B) of

1 the Internal Revenue Code of 1986
2 for each individual whose account is
3 transferred, or to any other arrange-
4 ment that the Secretary determines is
5 appropriate in such guidance; and

6 “(II) such employer (and not the
7 plan with respect to which the failure
8 occurred or any other employer in
9 such plan) shall, except to the extent
10 provided in such guidance, be liable
11 for any liabilities with respect to such
12 plan attributable to employees of such
13 employer (or beneficiaries of such em-
14 ployees).

15 The Secretary shall take into account
16 under clause (ii) whether the failure of an
17 employer or pooled plan provider to provide
18 any disclosures or other information, or to
19 take any other action, necessary to admin-
20 ister a plan or to allow a plan to meet re-
21 quirements described in subparagraph
22 (A)(i)(II) has continued over a period of
23 time that demonstrates a lack of commit-
24 ment to compliance. The Secretary may
25 waive the requirements of subclause (ii)(I)

1 in appropriate circumstances if the Sec-
2 retary determines it is in the best interests
3 of the employees of the employer referred
4 to in such clause (and the beneficiaries of
5 such employees) to retain the assets in the
6 plan with respect to which the employer’s
7 failure occurred.

8 “(D) GOOD FAITH COMPLIANCE WITH LAW
9 BEFORE GUIDANCE.—An employer or pooled
10 plan provider shall not be treated as failing to
11 meet a requirement of guidance issued by the
12 Secretary under subparagraph (C) if, before the
13 issuance of such guidance, the employer or
14 pooled plan provider complies in good faith with
15 a reasonable interpretation of the provisions of
16 this paragraph, or paragraph (43), to which
17 such guidance relates.

18 “(E) AGGREGATION RULES.—For purposes
19 of this paragraph, in determining whether a
20 person meets the requirements of this para-
21 graph to be a pooled plan provider with respect
22 to any plan, all persons who perform services
23 for the plan and who are treated as a single
24 employer under subsection (b), (c), (m), or (o)

1 of section 414 of the Internal Revenue Code of
2 1986 shall be treated as one person.”.

3 (2) BONDING REQUIREMENTS FOR POOLED EM-
4 PLOYER PLANS.—The last sentence of section 412(a)
5 of the Employee Retirement Income Security Act of
6 1974 (29 U.S.C. 1112(a)) is amended by inserting
7 “or in the case of a pooled employer plan (as defined
8 in section 3(43))” after “section 407(d)(1))”.

9 (3) CONFORMING AND TECHNICAL AMEND-
10 MENTS.—Section 3 of the Employee Retirement In-
11 come Security Act of 1974 (29 U.S.C. 1002) is
12 amended—

13 (A) in paragraph (16)(B)—

14 (i) by striking “or” at the end of
15 clause (ii); and

16 (ii) by striking the period at the end
17 and inserting “, or (iv) in the case of a
18 pooled employer plan, the pooled plan pro-
19 vider.”; and

20 (B) by striking the second paragraph (41).

21 (d) POOLED EMPLOYER AND MULTIPLE EMPLOYER
22 PLAN REPORTING.—

23 (1) ADDITIONAL INFORMATION.—Section 103
24 of the Employee Retirement Income Security Act of
25 1974 (29 U.S.C. 1023) is amended—

1 (A) in subsection (a)(1)(B), by striking
2 “applicable subsections (d), (e), and (f)” and
3 inserting “applicable subsections (d), (e), (f),
4 and (g)”; and

5 (B) by amending subsection (g) to read as
6 follows:

7 “(g) **ADDITIONAL INFORMATION WITH RESPECT TO**
8 **POOLED EMPLOYER AND MULTIPLE EMPLOYER**
9 **PLANS.**—An annual report under this section for a plan
10 year shall include—

11 “(1) with respect to any plan to which section
12 210(a) applies (including a pooled employer plan), a
13 list of employers in the plan and a good faith esti-
14 mate of the percentage of total contributions made
15 by such employers during the plan year and the ag-
16 gregate account balances attributable to each em-
17 ployer in the plan (determined as the sum of the ac-
18 count balances of the employees of such employer
19 (and the beneficiaries of such employees)); and

20 “(2) with respect to a pooled employer plan, the
21 identifying information for the person designated
22 under the terms of the plan as the pooled plan pro-
23 vider.”.

24 (2) **SIMPLIFIED ANNUAL REPORTS.**—Section
25 104(a) of the Employee Retirement Income Security

1 Act of 1974 (29 U.S.C. 1024(a)) is amended by
2 striking paragraph (2)(A) and inserting the fol-
3 lowing:

4 “(2)(A) With respect to annual reports required to
5 be filed with the Secretary under this part, the Secretary
6 may by regulation prescribe simplified annual reports for
7 any pension plan that—

8 “(i) covers fewer than 100 participants; or

9 “(ii) is a plan described in section 210(a) that
10 covers fewer than 1,000 participants, but only if no
11 single employer in the plan has 100 or more partici-
12 pants covered by the plan.”.

13 (e) EFFECTIVE DATE.—

14 (1) IN GENERAL.—The amendments made by
15 this section shall apply to plan years beginning after
16 December 31, 2020.

17 (2) RULE OF CONSTRUCTION.—Nothing in the
18 amendments made by subsection (a) shall be con-
19 strued as limiting the authority of the Secretary of
20 the Treasury or the Secretary’s delegate (determined
21 without regard to such amendment) to provide for
22 the proper treatment of a failure to meet any re-
23 quirement applicable under the Internal Revenue
24 Code of 1986 with respect to one employer (and its
25 employees) in a multiple employer plan.

1 **SEC. 102. INCREASE IN 10 PERCENT CAP FOR AUTOMATIC**
2 **ENROLLMENT SAFE HARBOR AFTER 1ST**
3 **PLAN YEAR.**

4 (a) IN GENERAL.—Section 401(k)(13)(C)(iii) of the
5 Internal Revenue Code of 1986 is amended by striking
6 “does not exceed 10 percent” and inserting “does not ex-
7 ceed 15 percent (10 percent during the period described
8 in subclause (I))”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to plan years beginning after De-
11 cember 31, 2019.

12 **SEC. 103. RULES RELATING TO ELECTION OF SAFE HARBOR**
13 **401(k) STATUS.**

14 (a) LIMITATION OF ANNUAL SAFE HARBOR NOTICE
15 TO MATCHING CONTRIBUTION PLANS.—

16 (1) IN GENERAL.—Subparagraph (A) of section
17 401(k)(12) of the Internal Revenue Code of 1986 is
18 amended by striking “if such arrangement” and all
19 that follows and inserting “if such arrangement—

20 “(i) meets the contribution require-
21 ments of subparagraph (B) and the notice
22 requirements of subparagraph (D), or

23 “(ii) meets the contribution require-
24 ments of subparagraph (C).”.

25 (2) AUTOMATIC CONTRIBUTION ARRANGE-
26 MENTS.—Subparagraph (B) of section 401(k)(13) of

1 such Code is amended by striking “means” and all
2 that follows and inserting “means a cash or deferred
3 arrangement—

4 “(i) which is described in subpara-
5 graph (D)(i)(I) and meets the applicable
6 requirements of subparagraphs (C)
7 through (E), or

8 “(ii) which is described in subpara-
9 graph (D)(i)(II) and meets the applicable
10 requirements of subparagraphs (C) and
11 (D).”.

12 (b) NONELECTIVE CONTRIBUTIONS.—Section
13 401(k)(12) of the Internal Revenue Code of 1986 is
14 amended by redesignating subparagraph (F) as subpara-
15 graph (G), and by inserting after subparagraph (E) the
16 following new subparagraph:

17 “(F) TIMING OF PLAN AMENDMENT FOR
18 EMPLOYER MAKING NONELECTIVE CONTRIBU-
19 TIONS.—

20 “(i) IN GENERAL.—Except as pro-
21 vided in clause (ii), a plan may be amend-
22 ed after the beginning of a plan year to
23 provide that the requirements of subpara-
24 graph (C) shall apply to the arrangement

1 for the plan year, but only if the amend-
2 ment is adopted—

3 “(I) at any time before the 30th
4 day before the close of the plan year,
5 or

6 “(II) at any time before the last
7 day under paragraph (8)(A) for dis-
8 tributing excess contributions for the
9 plan year.

10 “(ii) EXCEPTION WHERE PLAN PRO-
11 VIDED FOR MATCHING CONTRIBUTIONS.—
12 Clause (i) shall not apply to any plan year
13 if the plan provided at any time during the
14 plan year that the requirements of sub-
15 paragraph (B) or paragraph (13)(D)(i)(I)
16 applied to the plan year.

17 “(iii) 4-PERCENT CONTRIBUTION RE-
18 QUIREMENT.—Clause (i)(II) shall not
19 apply to an arrangement unless the
20 amount of the contributions described in
21 subparagraph (C) which the employer is
22 required to make under the arrangement
23 for the plan year with respect to any em-
24 ployee is an amount equal to at least 4
25 percent of the employee’s compensation.”.

1 (c) AUTOMATIC CONTRIBUTION ARRANGEMENTS.—

2 Section 401(k)(13) of the Internal Revenue Code of 1986

3 is amended by adding at the end the following:

4 “(F) TIMING OF PLAN AMENDMENT FOR
5 EMPLOYER MAKING NONELECTIVE CONTRIBU-
6 TIONS.—

7 “(i) IN GENERAL.—Except as pro-
8 vided in clause (ii), a plan may be amend-
9 ed after the beginning of a plan year to
10 provide that the requirements of subpara-
11 graph (D)(i)(II) shall apply to the arrange-
12 ment for the plan year, but only if the
13 amendment is adopted—

14 “(I) at any time before the 30th
15 day before the close of the plan year,
16 or

17 “(II) at any time before the last
18 day under paragraph (8)(A) for dis-
19 tributing excess contributions for the
20 plan year.

21 “(ii) EXCEPTION WHERE PLAN PRO-
22 VIDED FOR MATCHING CONTRIBUTIONS.—
23 Clause (i) shall not apply to any plan year
24 if the plan provided at any time during the
25 plan year that the requirements of sub-

1 paragraph (D)(i)(I) or paragraph (12)(B)
2 applied to the plan year.

3 “(iii) 4-PERCENT CONTRIBUTION RE-
4 QUIREMENT.—Clause (i)(II) shall not
5 apply to an arrangement unless the
6 amount of the contributions described in
7 subparagraph (D)(i)(II) which the em-
8 ployer is required to make under the ar-
9 rangement for the plan year with respect
10 to any employee is an amount equal to at
11 least 4 percent of the employee’s com-
12 pensation.”.

13 (d) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to plan years beginning after De-
15 cember 31, 2019.

16 **SEC. 104. INCREASE IN CREDIT LIMITATION FOR SMALL**
17 **EMPLOYER PENSION PLAN STARTUP COSTS.**

18 (a) IN GENERAL.—Paragraph (1) of section 45E(b)
19 of the Internal Revenue Code of 1986 is amended to read
20 as follows:

21 “(1) for the first credit year and each of the 2
22 taxable years immediately following the first credit
23 year, the greater of—

24 “(A) \$500, or

25 “(B) the lesser of—

1 “(i) \$250 for each employee of the eli-
2 gible employer who is not a highly com-
3 pensated employee (as defined in section
4 414(q)) and who is eligible to participate
5 in the eligible employer plan maintained by
6 the eligible employer, or

7 “(ii) \$5,000, and”.

8 (b) EFFECTIVE DATE.—The amendment made by
9 this section shall apply to taxable years beginning after
10 December 31, 2019.

11 **SEC. 105. SMALL EMPLOYER AUTOMATIC ENROLLMENT**
12 **CREDIT.**

13 (a) IN GENERAL.—Subpart D of part IV of sub-
14 chapter A of chapter 1 of the Internal Revenue Code of
15 1986 is amended by adding at the end the following new
16 section:

17 **“SEC. 45T. AUTO-ENROLLMENT OPTION FOR RETIREMENT**
18 **SAVINGS OPTIONS PROVIDED BY SMALL EM-**
19 **PLOYERS.**

20 “(a) IN GENERAL.—For purposes of section 38, in
21 the case of an eligible employer, the retirement auto-en-
22 rollment credit determined under this section for any tax-
23 able year is an amount equal to—

24 “(1) \$500 for any taxable year occurring during
25 the credit period, and

1 “(2) zero for any other taxable year.

2 “(b) CREDIT PERIOD.—For purposes of subsection

3 (a)—

4 “(1) IN GENERAL.—The credit period with re-
5 spect to any eligible employer is the 3-taxable-year
6 period beginning with the first taxable year for
7 which the employer includes an eligible automatic
8 contribution arrangement (as defined in section
9 414(w)(3)) in a qualified employer plan (as defined
10 in section 4972(d)) sponsored by the employer.

11 “(2) MAINTENANCE OF ARRANGEMENT.—No
12 taxable year with respect to an employer shall be
13 treated as occurring within the credit period unless
14 the arrangement described in paragraph (1) is in-
15 cluded in the plan for such year.

16 “(c) ELIGIBLE EMPLOYER.—For purposes of this
17 section, the term ‘eligible employer’ has the meaning given
18 such term in section 408(p)(2)(C)(i).”.

19 (b) CREDIT TO BE PART OF GENERAL BUSINESS
20 CREDIT.—Subsection (b) of section 38 of the Internal
21 Revenue Code of 1986 is amended by striking “plus” at
22 the end of paragraph (31), by striking the period at the
23 end of paragraph (32) and inserting “, plus”, and by add-
24 ing at the end the following new paragraph:

1 “(33) in the case of an eligible employer (as de-
2 fined in section 45T(c)), the retirement auto-enroll-
3 ment credit determined under section 45T(a).”.

4 (c) CLERICAL AMENDMENT.—The table of sections
5 for subpart D of part IV of subchapter A of chapter 1
6 of the Internal Revenue Code of 1986 is amended by in-
7 serting after the item relating to section 45S the following
8 new item:

 “Sec. 45T. Auto-enrollment option for retirement savings options provided by
 small employers.”.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply to taxable years beginning after
11 December 31, 2019.

12 **SEC. 106. CERTAIN TAXABLE NON-TUITION FELLOWSHIP**
13 **AND STIPEND PAYMENTS TREATED AS COM-**
14 **PENSATION FOR IRA PURPOSES.**

15 (a) IN GENERAL.—Paragraph (1) of section 219(f)
16 of the Internal Revenue Code of 1986 is amended by add-
17 ing at the end the following: “The term ‘compensation’
18 shall include any amount which is included in the individ-
19 ual’s gross income and paid to the individual to aid the
20 individual in the pursuit of graduate or postdoctoral
21 study.”.

22 (b) EFFECTIVE DATE.—The amendment made by
23 this section shall apply to taxable years beginning after
24 December 31, 2019.

1 **SEC. 107. REPEAL OF MAXIMUM AGE FOR TRADITIONAL IRA**
2 **CONTRIBUTIONS.**

3 (a) **IN GENERAL.**—Paragraph (1) of section 219(d)
4 of the Internal Revenue Code of 1986 is repealed.

5 (b) **COORDINATION WITH QUALIFIED CHARITABLE**
6 **DISTRIBUTIONS.**—Add at the end of section 408(d)(8)(A)
7 of such Code the following: “The amount of distributions
8 not includible in gross income by reason of the preceding
9 sentence for a taxable year (determined without regard to
10 this sentence) shall be reduced (but not below zero) by
11 an amount equal to the excess of—

12 “(i) the aggregate amount of deduc-
13 tions allowed to the taxpayer under section
14 219 for all taxable years ending on or after
15 the date the taxpayer attains age 70½,
16 over

17 “(ii) the aggregate amount of reduc-
18 tions under this sentence for all taxable
19 years preceding the current taxable year.”.

20 (c) **CONFORMING AMENDMENT.**—Subsection (c) of
21 section 408A of the Internal Revenue Code of 1986 is
22 amended by striking paragraph (4) and by redesignating
23 paragraphs (5), (6), and (7) as paragraphs (4), (5), and
24 (6), respectively.

25 (d) **EFFECTIVE DATE.**—

1 (1) IN GENERAL.—Except as provided in para-
2 graph (2), the amendments made by this section
3 shall apply to contributions made for taxable years
4 beginning after December 31, 2019.

5 (2) SUBSECTION (b).—The amendment made
6 by subsection (b) shall apply to distributions made
7 for taxable years beginning after December 31,
8 2019.

9 **SEC. 108. QUALIFIED EMPLOYER PLANS PROHIBITED FROM**
10 **MAKING LOANS THROUGH CREDIT CARDS**
11 **AND OTHER SIMILAR ARRANGEMENTS.**

12 (a) IN GENERAL.—Paragraph (2) of section 72(p) of
13 the Internal Revenue Code of 1986 is amended by redesignig-
14 nating subparagraph (D) as subparagraph (E) and by in-
15 serting after subparagraph (C) the following new subpara-
16 graph:

17 “(D) PROHIBITION OF LOANS THROUGH
18 CREDIT CARDS AND OTHER SIMILAR ARRANGE-
19 MENTS.—Subparagraph (A) shall not apply to
20 any loan which is made through the use of any
21 credit card or any other similar arrangement.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 subsection (a) shall apply to loans made after the date
24 of the enactment of this Act.

1 **SEC. 109. PORTABILITY OF LIFETIME INCOME OPTIONS.**

2 (a) IN GENERAL.—Subsection (a) of section 401 of
3 the Internal Revenue Code of 1986 is amended by insert-
4 ing after paragraph (37) the following new paragraph:

5 “(38) PORTABILITY OF LIFETIME INCOME.—

6 “(A) IN GENERAL.—Except as may be oth-
7 erwise provided by regulations, a trust forming
8 part of a defined contribution plan shall not be
9 treated as failing to constitute a qualified trust
10 under this section solely by reason of allowing—

11 “(i) qualified distributions of a life-
12 time income investment, or

13 “(ii) distributions of a lifetime income
14 investment in the form of a qualified plan
15 distribution annuity contract,

16 on or after the date that is 90 days prior to the
17 date on which such lifetime income investment
18 is no longer authorized to be held as an invest-
19 ment option under the plan.

20 “(B) DEFINITIONS.—For purposes of this
21 subsection—

22 “(i) the term ‘qualified distribution’
23 means a direct trustee-to-trustee transfer
24 described in paragraph (31)(A) to an eligi-
25 ble retirement plan (as defined in section
26 402(c)(8)(B)),

1 “(ii) the term ‘lifetime income invest-
2 ment’ means an investment option which is
3 designed to provide an employee with elec-
4 tion rights—

5 “(I) which are not uniformly
6 available with respect to other invest-
7 ment options under the plan, and

8 “(II) which are to a lifetime in-
9 come feature available through a con-
10 tract or other arrangement offered
11 under the plan (or under another eli-
12 gible retirement plan (as so defined),
13 if paid by means of a direct trustee-
14 to-trustee transfer described in para-
15 graph (31)(A) to such other eligible
16 retirement plan),

17 “(iii) the term ‘lifetime income fea-
18 ture’ means—

19 “(I) a feature which guarantees a
20 minimum level of income annually (or
21 more frequently) for at least the re-
22 mainder of the life of the employee or
23 the joint lives of the employee and the
24 employee’s designated beneficiary, or

1 “(II) an annuity payable on be-
2 half of the employee under which pay-
3 ments are made in substantially equal
4 periodic payments (not less frequently
5 than annually) over the life of the em-
6 ployee or the joint lives of the em-
7 ployee and the employee’s designated
8 beneficiary, and

9 “(iv) the term ‘qualified plan distribu-
10 tion annuity contract’ means an annuity
11 contract purchased for a participant and
12 distributed to the participant by a plan or
13 contract described in subparagraph (B) of
14 section 402(c)(8) (without regard to
15 clauses (i) and (ii) thereof).”.

16 (b) CASH OR DEFERRED ARRANGEMENT.—

17 (1) IN GENERAL.—Clause (i) of section
18 401(k)(2)(B) of the Internal Revenue Code of 1986
19 is amended by striking “or” at the end of subclause
20 (IV), by striking “and” at the end of subclause (V)
21 and inserting “or”, and by adding at the end the fol-
22 lowing new subclause:

23 “(VI) except as may be otherwise
24 provided by regulations, with respect
25 to amounts invested in a lifetime in-

1 come investment (as defined in sub-
2 section (a)(38)(B)(ii)), the date that
3 is 90 days prior to the date that such
4 lifetime income investment may no
5 longer be held as an investment option
6 under the arrangement, and”.

7 (2) DISTRIBUTION REQUIREMENT.—Subpara-
8 graph (B) of section 401(k)(2) of such Code, as
9 amended by paragraph (1), is amended by striking
10 “and” at the end of clause (i), by striking the semi-
11 colon at the end of clause (ii) and inserting “, and”,
12 and by adding at the end the following new clause:

13 “(iii) except as may be otherwise pro-
14 vided by regulations, in the case of
15 amounts described in clause (i)(VI), will be
16 distributed only in the form of a qualified
17 distribution (as defined in subsection
18 (a)(38)(B)(i)) or a qualified plan distribu-
19 tion annuity contract (as defined in sub-
20 section (a)(38)(B)(iv)),”.

21 (c) SECTION 403(b) PLANS.—

22 (1) ANNUITY CONTRACTS.—Paragraph (11) of
23 section 403(b) of the Internal Revenue Code of 1986
24 is amended by striking “or” at the end of subpara-
25 graph (B), by striking the period at the end of sub-

1 paragraph (C) and inserting “, or”, and by inserting
2 after subparagraph (C) the following new subpara-
3 graph:

4 “(D) except as may be otherwise provided
5 by regulations, with respect to amounts invested
6 in a lifetime income investment (as defined in
7 section 401(a)(38)(B)(ii))—

8 “(i) on or after the date that is 90
9 days prior to the date that such lifetime
10 income investment may no longer be held
11 as an investment option under the con-
12 tract, and

13 “(ii) in the form of a qualified dis-
14 tribution (as defined in section
15 401(a)(38)(B)(i)) or a qualified plan dis-
16 tribution annuity contract (as defined in
17 section 401(a)(38)(B)(iv)).”.

18 (2) CUSTODIAL ACCOUNTS.—Subparagraph (A)
19 of section 403(b)(7) of such Code is amended by
20 striking “if—” and all that follows and inserting “if
21 the amounts are to be invested in regulated invest-
22 ment company stock to be held in that custodial ac-
23 count, and under the custodial account—

24 “(i) no such amounts may be paid or
25 made available to any distributee (unless

1 such amount is a distribution to which sec-
2 tion 72(t)(2)(G) applies) before—
3 “(I) the employee dies,
4 “(II) the employee attains age
5 59½,
6 “(III) the employee has a sever-
7 ance from employment,
8 “(IV) the employee becomes dis-
9 abled (within the meaning of section
10 72(m)(7)),
11 “(V) in the case of contributions
12 made pursuant to a salary reduction
13 agreement (within the meaning of sec-
14 tion 3121(a)(5)(D)), the employee en-
15 counters financial hardship, or
16 “(VI) except as may be otherwise
17 provided by regulations, with respect
18 to amounts invested in a lifetime in-
19 come investment (as defined in section
20 401(a)(38)(B)(ii)), the date that is 90
21 days prior to the date that such life-
22 time income investment may no longer
23 be held as an investment option under
24 the contract, and

1 “(ii) in the case of amounts described
2 in clause (i)(VI), such amounts will be dis-
3 tributed only in the form of a qualified dis-
4 tribution (as defined in section
5 401(a)(38)(B)(i)) or a qualified plan dis-
6 tribution annuity contract (as defined in
7 section 401(a)(38)(B)(iv)).”.

8 (d) ELIGIBLE DEFERRED COMPENSATION PLANS.—

9 (1) IN GENERAL.—Subparagraph (A) of section
10 457(d)(1) of the Internal Revenue Code of 1986 is
11 amended by striking “or” at the end of clause (ii),
12 by inserting “or” at the end of clause (iii), and by
13 adding after clause (iii) the following:

14 “(iv) except as may be otherwise pro-
15 vided by regulations, in the case of a plan
16 maintained by an employer described in
17 subsection (e)(1)(A), with respect to
18 amounts invested in a lifetime income in-
19 vestment (as defined in section
20 401(a)(38)(B)(ii)), the date that is 90
21 days prior to the date that such lifetime
22 income investment may no longer be held
23 as an investment option under the plan,”.

24 (2) DISTRIBUTION REQUIREMENT.—Paragraph
25 (1) of section 457(d) of such Code is amended by

1 striking “and” at the end of subparagraph (B), by
2 striking the period at the end of subparagraph (C)
3 and inserting “, and”, and by inserting after sub-
4 paragraph (C) the following new subparagraph:

5 “(D) except as may be otherwise provided
6 by regulations, in the case of amounts described
7 in subparagraph (A)(iv), such amounts will be
8 distributed only in the form of a qualified dis-
9 tribution (as defined in section
10 401(a)(38)(B)(i)) or a qualified plan distribu-
11 tion annuity contract (as defined in section
12 401(a)(38)(B)(iv)).”.

13 (e) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to plan years beginning after De-
15 cember 31, 2019.

16 **SEC. 110. TREATMENT OF CUSTODIAL ACCOUNTS ON TER-**
17 **MINATION OF SECTION 403(b) PLANS.**

18 Not later than six months after the date of enactment
19 of this Act, the Secretary of the Treasury shall issue guid-
20 ance to provide that, if an employer terminates the plan
21 under which amounts are contributed to a custodial ac-
22 count under subparagraph (A) of section 403(b)(7), the
23 plan administrator or custodian may distribute an indi-
24 vidual custodial account in kind to a participant or bene-
25 ficiary of the plan and the distributed custodial account

1 shall be maintained by the custodian on a tax-deferred
2 basis as a section 403(b)(7) custodial account, similar to
3 the treatment of fully-paid individual annuity contracts
4 under Revenue Ruling 2011–7, until amounts are actually
5 paid to the participant or beneficiary. The guidance shall
6 provide further (i) that the section 403(b)(7) status of the
7 distributed custodial account is generally maintained if the
8 custodial account thereafter adheres to the requirements
9 of section 403(b) that are in effect at the time of the dis-
10 tribution of the account and (ii) that a custodial account
11 would not be considered distributed to the participant or
12 beneficiary if the employer has any material retained
13 rights under the account (but the employer would not be
14 treated as retaining material rights simply because the
15 custodial account was originally opened under a group
16 contract). Such guidance shall be retroactively effective for
17 taxable years beginning after December 31, 2008.

18 **SEC. 111. CLARIFICATION OF RETIREMENT INCOME AC-**
19 **COUNT RULES RELATING TO CHURCH-CON-**
20 **TROLLED ORGANIZATIONS.**

21 (a) IN GENERAL.—Subparagraph (B) of section
22 403(b)(9) of the Internal Revenue Code of 1986 is amend-
23 ed by inserting “(including an employee described in sec-
24 tion 414(e)(3)(B))” after “employee described in para-
25 graph (1)”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 this section shall apply to years beginning before, on, or
3 after the date of the enactment of this Act.

4 **SEC. 112. QUALIFIED CASH OR DEFERRED ARRANGEMENTS**
5 **MUST ALLOW LONG-TERM EMPLOYEES**
6 **WORKING MORE THAN 500 BUT LESS THAN**
7 **1,000 HOURS PER YEAR TO PARTICIPATE.**

8 (a) PARTICIPATION REQUIREMENT.—

9 (1) IN GENERAL.—Section 401(k)(2)(D) of the
10 Internal Revenue Code of 1986 is amended to read
11 as follows:

12 “(D) which does not require, as a condi-
13 tion of participation in the arrangement, that
14 an employee complete a period of service with
15 the employer (or employers) maintaining the
16 plan extending beyond the close of the earlier
17 of—

18 “(i) the period permitted under sec-
19 tion 410(a)(1) (determined without regard
20 to subparagraph (B)(i) thereof), or

21 “(ii) subject to the provisions of para-
22 graph (15), the first period of 3 consecu-
23 tive 12-month periods during each of which
24 the employee has at least 500 hours of
25 service.”.

1 (2) SPECIAL RULES.—Section 401(k) of such
2 Code is amended by adding at the end the following
3 new paragraph:

4 “(15) SPECIAL RULES FOR PARTICIPATION RE-
5 QUIREMENT FOR LONG-TERM, PART-TIME WORK-
6 ERS.—For purposes of paragraph (2)(D)(ii)—

7 “(A) AGE REQUIREMENT MUST BE MET.—
8 Paragraph (2)(D)(ii) shall not apply to an em-
9 ployee unless the employee has met the require-
10 ment of section 410(a)(1)(A)(i) by the close of
11 the last of the 12-month periods described in
12 such paragraph.

13 “(B) NONDISCRIMINATION AND TOP-
14 HEAVY RULES NOT TO APPLY.—

15 “(i) NONDISCRIMINATION RULES.—In
16 the case of employees who are eligible to
17 participate in the arrangement solely by
18 reason of paragraph (2)(D)(ii)—

19 “(I) notwithstanding subsection
20 (a)(4), an employer shall not be re-
21 quired to make nonelective or match-
22 ing contributions on behalf of such
23 employees even if such contributions
24 are made on behalf of other employees

1 eligible to participate in the arrange-
2 ment, and

3 “(II) an employer may elect to
4 exclude such employees from the ap-
5 plication of subsection (a)(4), para-
6 graphs (3), (12), and (13), subsection
7 (m)(2), and section 410(b).

8 “(ii) TOP-HEAVY RULES.—An em-
9 ployer may elect to exclude all employees
10 who are eligible to participate in a plan
11 maintained by the employer solely by rea-
12 son of paragraph (2)(D)(ii) from the appli-
13 cation of the vesting and benefit require-
14 ments under subsections (b) and (c) of sec-
15 tion 416.

16 “(iii) VESTING.—For purposes of de-
17 termining whether an employee described
18 in clause (i) has a nonforfeitable right to
19 employer contributions (other than con-
20 tributions described in paragraph
21 (3)(D)(i)) under the arrangement, each
22 12-month period for which the employee
23 has at least 500 hours of service shall be
24 treated as a year of service, and section
25 411(a)(6) shall be applied by substituting

1 ‘at least 500 hours of service’ for ‘more
2 than 500 hours of service’ in subparagraph
3 (A) thereof.

4 “(iv) EMPLOYEES WHO BECOME
5 FULL-TIME EMPLOYEES.—This subpara-
6 graph (other than clause (iii)) shall cease
7 to apply to any employee as of the first
8 plan year beginning after the plan year in
9 which the employee meets the requirements
10 of section 410(a)(1)(A)(ii) without regard
11 to paragraph (2)(D)(ii).

12 “(C) EXCEPTION FOR EMPLOYEES UNDER
13 COLLECTIVELY BARGAINED PLANS, ETC.—Para-
14 graph (2)(D)(ii) shall not apply to employees
15 described in section 410(b)(3).

16 “(D) SPECIAL RULES.—

17 “(i) TIME OF PARTICIPATION.—The
18 rules of section 410(a)(4) shall apply to an
19 employee eligible to participate in an ar-
20 rangement solely by reason of paragraph
21 (2)(D)(ii).

22 “(ii) 12-MONTH PERIODS.—12-month
23 periods shall be determined in the same
24 manner as under the last sentence of sec-
25 tion 410(a)(3)(A).”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 this section shall apply to plan years beginning after De-
3 cember 31, 2020, except that, for purposes of section
4 401(k)(2)(D)(ii) of the Internal Revenue Code of 1986 (as
5 added by such amendments), 12-month periods beginning
6 before January 1, 2021, shall not be taken into account.

7 **SEC. 113. PENALTY-FREE WITHDRAWALS FROM RETIRE-**
8 **MENT PLANS FOR INDIVIDUALS IN CASE OF**
9 **BIRTH OF CHILD OR ADOPTION.**

10 (a) IN GENERAL.—Section 72(t)(2) of the Internal
11 Revenue Code of 1986 is amended by adding at the end
12 the following new subparagraph:

13 “(H) DISTRIBUTIONS FROM RETIREMENT
14 PLANS IN CASE OF BIRTH OF CHILD OR ADOP-
15 TION.—

16 “(i) IN GENERAL.—Any qualified
17 birth or adoption distribution.

18 “(ii) LIMITATION.—The aggregate
19 amount which may be treated as qualified
20 birth or adoption distributions by any indi-
21 vidual with respect to any birth or adop-
22 tion shall not exceed \$5,000.

23 “(iii) QUALIFIED BIRTH OR ADOPTION
24 DISTRIBUTION.—For purposes of this sub-
25 paragraph—

1 “(I) IN GENERAL.—The term
2 ‘qualified birth or adoption distribu-
3 tion’ means any distribution from an
4 applicable eligible retirement plan to
5 an individual if made during the 1-
6 year period beginning on the date on
7 which a child of the individual is born
8 or on which the legal adoption by the
9 individual of an eligible adoptee is fi-
10 nalized.

11 “(II) ELIGIBLE ADOPTEE.—The
12 term ‘eligible adoptee’ means any indi-
13 vidual (other than a child of the tax-
14 payer’s spouse) who has not attained
15 age 18 or is physically or mentally in-
16 capable of self-support.

17 “(iv) TREATMENT OF PLAN DISTRIBU-
18 TIONS.—

19 “(I) IN GENERAL.—If a distribu-
20 tion to an individual would (without
21 regard to clause (ii)) be a qualified
22 birth or adoption distribution, a plan
23 shall not be treated as failing to meet
24 any requirement of this title merely
25 because the plan treats the distribu-

1 tion as a qualified birth or adoption
2 distribution, unless the aggregate
3 amount of such distributions from all
4 plans maintained by the employer
5 (and any member of any controlled
6 group which includes the employer) to
7 such individual exceeds \$5,000.

8 “(II) CONTROLLED GROUP.—For
9 purposes of subclause (I), the term
10 ‘controlled group’ means any group
11 treated as a single employer under
12 subsection (b), (c), (m), or (o) of sec-
13 tion 414.

14 “(v) AMOUNT DISTRIBUTED MAY BE
15 REPAID.—

16 “(I) IN GENERAL.—Any indi-
17 vidual who receives a qualified birth
18 or adoption distribution may make
19 one or more contributions in an ag-
20 gregate amount not to exceed the
21 amount of such distribution to an ap-
22 plicable eligible retirement plan of
23 which such individual is a beneficiary
24 and to which a rollover contribution of
25 such distribution could be made under

1 section 402(c), 403(a)(4), 403(b)(8),
2 408(d)(3), or 457(e)(16), as the case
3 may be.

4 “(II) LIMITATION ON CONTRIBU-
5 TIONS TO APPLICABLE ELIGIBLE RE-
6 TIREMENT PLANS OTHER THAN
7 IRAS.—The aggregate amount of con-
8 tributions made by an individual
9 under subclause (I) to any applicable
10 eligible retirement plan which is not
11 an individual retirement plan shall not
12 exceed the aggregate amount of quali-
13 fied birth or adoption distributions
14 which are made from such plan to
15 such individual. Subclause (I) shall
16 not apply to contributions to any ap-
17 plicable eligible retirement plan which
18 is not an individual retirement plan
19 unless the individual is eligible to
20 make contributions (other than those
21 described in subclause (I)) to such ap-
22 plicable eligible retirement plan.

23 “(III) TREATMENT OF REPAY-
24 MENTS OF DISTRIBUTIONS FROM AP-
25 PPLICABLE ELIGIBLE RETIREMENT

1 PLANS OTHER THAN IRAs.—If a con-
2 tribution is made under subclause (I)
3 with respect to a qualified birth or
4 adoption distribution from an applica-
5 ble eligible retirement plan other than
6 an individual retirement plan, then
7 the taxpayer shall, to the extent of the
8 amount of the contribution, be treated
9 as having received such distribution in
10 an eligible rollover distribution (as de-
11 fined in section 402(c)(4)) and as
12 having transferred the amount to the
13 applicable eligible retirement plan in a
14 direct trustee to trustee transfer with-
15 in 60 days of the distribution.

16 “(IV) TREATMENT OF REPAY-
17 MENTS FOR DISTRIBUTIONS FROM
18 IRAs.—If a contribution is made
19 under subclause (I) with respect to a
20 qualified birth or adoption distribution
21 from an individual retirement plan,
22 then, to the extent of the amount of
23 the contribution, such distribution
24 shall be treated as a distribution de-
25 scribed in section 408(d)(3) and as

1 having been transferred to the appli-
2 cable eligible retirement plan in a di-
3 rect trustee to trustee transfer within
4 60 days of the distribution.

5 “(vi) DEFINITION AND SPECIAL
6 RULES.—For purposes of this subpara-
7 graph—

8 “(I) APPLICABLE ELIGIBLE RE-
9 TIREMENT PLAN.—The term ‘applica-
10 ble eligible retirement plan’ means an
11 eligible retirement plan (as defined in
12 section 402(c)(8)(B)) other than a de-
13 fined benefit plan.

14 “(II) EXEMPTION OF DISTRIBU-
15 TIONS FROM TRUSTEE TO TRUSTEE
16 TRANSFER AND WITHHOLDING
17 RULES.—For purposes of sections
18 401(a)(31), 402(f), and 3405, a quali-
19 fied birth or adoption distribution
20 shall not be treated as an eligible roll-
21 over distribution.

22 “(III) TAXPAYER MUST INCLUDE
23 TIN.—A distribution shall not be
24 treated as a qualified birth or adop-
25 tion distribution with respect to any

1 child or eligible adoptee unless the
2 taxpayer includes the name, age, and
3 TIN of such child or eligible adoptee
4 on the taxpayer's return of tax for the
5 taxable year.

6 “(IV) DISTRIBUTIONS TREATED
7 AS MEETING PLAN DISTRIBUTION RE-
8 QUIREMENTS.—Any qualified birth or
9 adoption distribution shall be treated
10 as meeting the requirements of sec-
11 tions 401(k)(2)(B)(i),
12 403(b)(7)(A)(ii), 403(b)(11), and
13 457(d)(1)(A).”.

14 (b) EFFECTIVE DATE.—The amendments made by
15 this section shall apply to distributions made after Decem-
16 ber 31, 2019.

17 **SEC. 114. INCREASE IN AGE FOR REQUIRED BEGINNING**
18 **DATE FOR MANDATORY DISTRIBUTIONS.**

19 (a) IN GENERAL.—Section 401(a)(9)(C)(i)(I) of the
20 Internal Revenue Code of 1986 is amended by striking
21 “age 70½” and inserting “age 72”.

22 (b) SPOUSE BENEFICIARIES; SPECIAL RULE FOR
23 OWNERS.—Subparagraphs (B)(iv)(I) and (C)(ii)(I) of sec-
24 tion 401(a)(9) of such Code are each amended by striking
25 “age 70½” and inserting “age 72”.

1 (c) CONFORMING AMENDMENTS.—The last sentence
2 of section 408(b) of such Code is amended by striking
3 “age 70½” and inserting “age 72”.

4 (d) EFFECTIVE DATE.—The amendments made by
5 this section shall apply to distributions required to be
6 made after December 31, 2019, with respect to individuals
7 who attain age 70½ after such date.

8 **SEC. 115. SPECIAL RULES FOR MINIMUM FUNDING STAND-**
9 **ARDS FOR COMMUNITY NEWSPAPER PLANS.**

10 (a) AMENDMENT TO INTERNAL REVENUE CODE OF
11 1986.—Section 430 of the Internal Revenue Code of 1986
12 is amended by adding at the end the following new sub-
13 section:

14 “(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER
15 PLANS.—

16 “(1) IN GENERAL.—The plan sponsor of a com-
17 munity newspaper plan under which no participant
18 has had the participant’s accrued benefit increased
19 (whether because of service or compensation) after
20 December 31, 2017, may elect to have the alter-
21 native standards described in paragraph (3) apply to
22 such plan, and any plan sponsored by any member
23 of the same controlled group.

24 “(2) ELECTION.—An election under paragraph
25 (1) shall be made at such time and in such manner

1 as prescribed by the Secretary. Such election, once
2 made with respect to a plan year, shall apply to all
3 subsequent plan years unless revoked with the con-
4 sent of the Secretary.

5 “(3) ALTERNATIVE MINIMUM FUNDING STAND-
6 ARDS.—The alternative standards described in this
7 paragraph are the following:

8 “(A) INTEREST RATES.—

9 “(i) IN GENERAL.—Notwithstanding
10 subsection (h)(2)(C) and except as pro-
11 vided in clause (ii), the first, second, and
12 third segment rates in effect for any
13 month for purposes of this section shall be
14 8 percent.

15 “(ii) NEW BENEFIT ACCRUALS.—Not-
16 withstanding subsection (h)(2), for pur-
17 poses of determining the funding target
18 and normal cost of a plan for any plan
19 year, the present value of any benefits ac-
20 crued or earned under the plan for a plan
21 year with respect to which an election
22 under paragraph (1) is in effect shall be
23 determined on the basis of the United
24 States Treasury obligation yield curve for

1 the day that is the valuation date of such
2 plan for such plan year.

3 “(iii) UNITED STATES TREASURY OB-
4 LIGATION YIELD CURVE.—For purposes of
5 this subsection, the term ‘United States
6 Treasury obligation yield curve’ means,
7 with respect to any day, a yield curve
8 which shall be prescribed by the Secretary
9 for such day on interest-bearing obligations
10 of the United States.

11 “(B) SHORTFALL AMORTIZATION BASE.—

12 “(i) PREVIOUS SHORTFALL AMORTIZA-
13 TION BASES.—The shortfall amortization
14 bases determined under subsection (c)(3)
15 for all plan years preceding the first plan
16 year to which the election under paragraph
17 (1) applies (and all shortfall amortization
18 installments determined with respect to
19 such bases) shall be reduced to zero under
20 rules similar to the rules of subsection
21 (c)(6).

22 “(ii) NEW SHORTFALL AMORTIZATION
23 BASE.—Notwithstanding subsection (c)(3),
24 the shortfall amortization base for the first
25 plan year to which the election under para-

1 graph (1) applies shall be the funding
2 shortfall of such plan for such plan year
3 (determined using the interest rates as
4 modified under subparagraph (A)).

5 “(C) DETERMINATION OF SHORTFALL AM-
6 ORTIZATION INSTALLMENTS.—

7 “(i) 30-YEAR PERIOD.—Subpara-
8 graphs (A) and (B) of subsection (c)(2)
9 shall be applied by substituting ‘30-plan-
10 year’ for ‘7-plan-year’ each place it ap-
11 pears.

12 “(ii) NO SPECIAL ELECTION.—The
13 election under subparagraph (D) of sub-
14 section (c)(2) shall not apply to any plan
15 year to which the election under paragraph
16 (1) applies.

17 “(D) EXEMPTION FROM AT-RISK TREAT-
18 MENT.—Subsection (i) shall not apply.

19 “(4) COMMUNITY NEWSPAPER PLAN.—For pur-
20 poses of this subsection—

21 “(A) IN GENERAL.—The term ‘community
22 newspaper plan’ means a plan to which this sec-
23 tion applies maintained by an employer which,
24 as of December 31, 2017—

1 “(i) publishes and distributes daily, ei-
2 ther electronically or in printed form, 1 or
3 more community newspapers in a single
4 State,

5 “(ii) is not a company the stock of
6 which is publicly traded (on a stock ex-
7 change or in an over-the-counter market),
8 and is not controlled, directly or indirectly,
9 by such a company,

10 “(iii) is controlled, directly or indi-
11 rectly—

12 “(I) by 1 or more persons resid-
13 ing primarily in the State in which
14 the community newspaper is pub-
15 lished,

16 “(II) for not less than 30 years
17 by individuals who are members of the
18 same family,

19 “(III) by a trust created or orga-
20 nized in the State in which the com-
21 munity newspaper is published, the
22 sole trustees of which are persons de-
23 scribed in subclause (I) or (II),

24 “(IV) by an entity which is de-
25 scribed in section 501(c)(3) and ex-

1 empt from taxation under section
2 501(a), which is organized and oper-
3 ated in the State in which the commu-
4 nity newspaper is published, and the
5 primary purpose of which is to benefit
6 communities in such State, or

7 “(V) by a combination of persons
8 described in subclause (I), (III), or
9 (IV), and

10 “(iv) does not control, directly or indi-
11 rectly, any newspaper in any other State.

12 “(B) COMMUNITY NEWSPAPER.—The term
13 ‘community newspaper’ means a newspaper
14 which primarily serves a metropolitan statistical
15 area, as determined by the Office of Manage-
16 ment and Budget, with a population of not less
17 than 100,000.

18 “(C) CONTROL.—A person shall be treated
19 as controlled by another person if such other
20 person possesses, directly or indirectly, the
21 power to direct or cause the direction and man-
22 agement of such person (including the power to
23 elect a majority of the members of the board of
24 directors of such person) through the ownership
25 of voting securities.

1 “(5) CONTROLLED GROUP.—For purposes of
2 this subsection, the term ‘controlled group’ means all
3 persons treated as a single employer under sub-
4 section (b), (c), (m), or (o) of section 414 as of the
5 date of the enactment of this subsection.”.

6 (b) AMENDMENT TO EMPLOYEE RETIREMENT IN-
7 COME SECURITY ACT OF 1974.—Section 303 of the Em-
8 ployee Retirement Income Security Act of 1974 (29
9 U.S.C. 1083) is amended by adding at the end the fol-
10 lowing new subsection:

11 “(m) SPECIAL RULES FOR COMMUNITY NEWSPAPER
12 PLANS.—

13 “(1) IN GENERAL.—The plan sponsor of a com-
14 munity newspaper plan under which no participant
15 has had the participant’s accrued benefit increased
16 (whether because of service or compensation) after
17 December 31, 2017, may elect to have the alter-
18 native standards described in paragraph (3) apply to
19 such plan, and any plan sponsored by any member
20 of the same controlled group.

21 “(2) ELECTION.—An election under paragraph
22 (1) shall be made at such time and in such manner
23 as prescribed by the Secretary of the Treasury. Such
24 election, once made with respect to a plan year, shall

1 apply to all subsequent plan years unless revoked
2 with the consent of the Secretary of the Treasury.

3 “(3) ALTERNATIVE MINIMUM FUNDING STAND-
4 ARDS.—The alternative standards described in this
5 paragraph are the following:

6 “(A) INTEREST RATES.—

7 “(i) IN GENERAL.—Notwithstanding
8 subsection (h)(2)(C) and except as pro-
9 vided in clause (ii), the first, second, and
10 third segment rates in effect for any
11 month for purposes of this section shall be
12 8 percent.

13 “(ii) NEW BENEFIT ACCRUALS.—Not-
14 withstanding subsection (h)(2), for pur-
15 poses of determining the funding target
16 and normal cost of a plan for any plan
17 year, the present value of any benefits ac-
18 crued or earned under the plan for a plan
19 year with respect to which an election
20 under paragraph (1) is in effect shall be
21 determined on the basis of the United
22 States Treasury obligation yield curve for
23 the day that is the valuation date of such
24 plan for such plan year.

1 “(iii) UNITED STATES TREASURY OB-
2 LIGATION YIELD CURVE.—For purposes of
3 this subsection, the term ‘United States
4 Treasury obligation yield curve’ means,
5 with respect to any day, a yield curve
6 which shall be prescribed by the Secretary
7 of the Treasury for such day on interest-
8 bearing obligations of the United States.

9 “(B) SHORTFALL AMORTIZATION BASE.—

10 “(i) PREVIOUS SHORTFALL AMORTIZA-
11 TION BASES.—The shortfall amortization
12 bases determined under subsection (c)(3)
13 for all plan years preceding the first plan
14 year to which the election under paragraph
15 (1) applies (and all shortfall amortization
16 installments determined with respect to
17 such bases) shall be reduced to zero under
18 rules similar to the rules of subsection
19 (c)(6).

20 “(ii) NEW SHORTFALL AMORTIZATION
21 BASE.—Notwithstanding subsection (c)(3),
22 the shortfall amortization base for the first
23 plan year to which the election under para-
24 graph (1) applies shall be the funding
25 shortfall of such plan for such plan year

1 (determined using the interest rates as
2 modified under subparagraph (A)).

3 “(C) DETERMINATION OF SHORTFALL AM-
4 ORTIZATION INSTALLMENTS.—

5 “(i) 30-YEAR PERIOD.—Subpara-
6 graphs (A) and (B) of subsection (c)(2)
7 shall be applied by substituting ‘30-plan-
8 year’ for ‘7-plan-year’ each place it ap-
9 pears.

10 “(ii) NO SPECIAL ELECTION.—The
11 election under subparagraph (D) of sub-
12 section (c)(2) shall not apply to any plan
13 year to which the election under paragraph
14 (1) applies.

15 “(D) EXEMPTION FROM AT-RISK TREAT-
16 MENT.—Subsection (i) shall not apply.

17 “(4) COMMUNITY NEWSPAPER PLAN.—For pur-
18 poses of this subsection—

19 “(A) IN GENERAL.—The term ‘community
20 newspaper plan’ means a plan to which this sec-
21 tion applies maintained by an employer which,
22 as of December 31, 2017—

23 “(i) publishes and distributes daily, ei-
24 ther electronically or in printed form—

25 “(I) a community newspaper, or

1 “(II) 1 or more community news-
2 papers in the same State,

3 “(ii) is not a company the stock of
4 which is publicly traded (on a stock ex-
5 change or in an over-the-counter market),
6 and is not controlled, directly or indirectly,
7 by such a company,

8 “(iii) is controlled, directly or indi-
9 rectly—

10 “(I) by 1 or more persons resid-
11 ing primarily in the State in which
12 the community newspaper is pub-
13 lished,

14 “(II) for not less than 30 years
15 by individuals who are members of the
16 same family,

17 “(III) by a trust created or orga-
18 nized in the State in which the com-
19 munity newspaper is published, the
20 sole trustees of which are persons de-
21 scribed in subclause (I) or (II),

22 “(IV) by an entity which is de-
23 scribed in section 501(c)(3) of the In-
24 ternal Revenue Code of 1986 and ex-
25 empt from taxation under section

1 501(a) of such Code, which is orga-
2 nized and operated in the State in
3 which the community newspaper is
4 published, and the primary purpose of
5 which is to benefit communities in
6 such State, or

7 “(V) by a combination of persons
8 described in subclause (I), (III), or
9 (IV), and

10 “(iv) does not control, directly or indi-
11 rectly, any newspaper in any other State.

12 “(B) COMMUNITY NEWSPAPER.—The term
13 ‘community newspaper’ means a newspaper
14 which primarily serves a metropolitan statistical
15 area, as determined by the Office of Manage-
16 ment and Budget, with a population of not less
17 than 100,000.

18 “(C) CONTROL.—A person shall be treated
19 as controlled by another person if such other
20 person possesses, directly or indirectly, the
21 power to direct or cause the direction and man-
22 agement of such person (including the power to
23 elect a majority of the members of the board of
24 directors of such person) through the ownership
25 of voting securities.

1 “(5) CONTROLLED GROUP.—For purposes of
2 this subsection, the term ‘controlled group’ means all
3 persons treated as a single employer under sub-
4 section (b), (c), (m), or (o) of section 414 of the In-
5 ternal Revenue Code of 1986 as of the date of the
6 enactment of this subsection.

7 “(6) EFFECT ON PREMIUM RATE CALCULA-
8 TION.—Notwithstanding any other provision of law
9 or any regulation issued by the Pension Benefit
10 Guaranty Corporation, in the case of a plan for
11 which an election is made to apply the alternative
12 standards described in paragraph (3), the additional
13 premium under section 4006(a)(3)(E) shall be deter-
14 mined as if such election had not been made.”.

15 (c) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to plan years ending after Decem-
17 ber 31, 2017.

18 **SEC. 116. TREATING EXCLUDED DIFFICULTY OF CARE PAY-**
19 **MENTS AS COMPENSATION FOR DETER-**
20 **MINING RETIREMENT CONTRIBUTION LIM-**
21 **TATIONS.**

22 (a) INDIVIDUAL RETIREMENT ACCOUNTS.—

23 (1) IN GENERAL.—Section 408(o) of the Inter-
24 nal Revenue Code of 1986 is amended by adding at
25 the end the following new paragraph:

1 “(5) SPECIAL RULE FOR DIFFICULTY OF CARE
2 PAYMENTS EXCLUDED FROM GROSS INCOME.—In
3 the case of an individual who for a taxable year ex-
4 cludes from gross income under section 131 a quali-
5 fied foster care payment which is a difficulty of care
6 payment, if—

7 “(A) the deductible amount in effect for
8 the taxable year under subsection (b), exceeds

9 “(B) the amount of compensation includ-
10 ible in the individual’s gross income for the tax-
11 able year,

12 the individual may elect to increase the nondeduct-
13 ible limit under paragraph (2) for the taxable year
14 by an amount equal to the lesser of such excess or
15 the amount so excluded.”.

16 (2) EFFECTIVE DATE.—The amendments made
17 by this subsection shall apply to contributions after
18 the date of the enactment of this Act.

19 (b) DEFINED CONTRIBUTION PLANS.—

20 (1) IN GENERAL.—Section 415(c) of such Code
21 is amended by adding at the end the following new
22 paragraph:

23 “(8) SPECIAL RULE FOR DIFFICULTY OF CARE
24 PAYMENTS EXCLUDED FROM GROSS INCOME.—

1 “(A) IN GENERAL.—For purposes of para-
2 graph (1)(B), in the case of an individual who
3 for a taxable year excludes from gross income
4 under section 131 a qualified foster care pay-
5 ment which is a difficulty of care payment, the
6 participant’s compensation, or earned income,
7 as the case may be, shall be increased by the
8 amount so excluded.

9 “(B) CONTRIBUTIONS ALLOCABLE TO DIF-
10 FICULTY OF CARE PAYMENTS TREATED AS
11 AFTER-TAX.—Any contribution by the partici-
12 pant which is allowable due to such increase—

13 “(i) shall be treated for purposes of
14 this title as investment in the contract, and

15 “(ii) shall not cause a plan (and any
16 arrangement which is part of such plan) to
17 be treated as failing to meet any require-
18 ments of this chapter solely by reason of
19 allowing any such contributions.”.

20 (2) EFFECTIVE DATE.—The amendment made
21 by this subsection shall apply to plan years begin-
22 ning after December 31, 2015.

1 **TITLE II—ADMINISTRATIVE**
2 **IMPROVEMENTS**

3 **SEC. 201. PLAN ADOPTED BY FILING DUE DATE FOR YEAR**
4 **MAY BE TREATED AS IN EFFECT AS OF CLOSE**
5 **OF YEAR.**

6 (a) IN GENERAL.—Subsection (b) of section 401 of
7 the Internal Revenue Code of 1986 is amended—

8 (1) by striking “RETROACTIVE CHANGES IN
9 PLAN.—A stock bonus” and inserting “PLAN
10 AMENDMENTS.—

11 “(1) CERTAIN RETROACTIVE CHANGES IN
12 PLAN.—A stock bonus”; and

13 (2) by adding at the end the following new
14 paragraph:

15 “(2) ADOPTION OF PLAN.—If an employer
16 adopts a stock bonus, pension, profit-sharing, or an-
17 nuity plan after the close of a taxable year but be-
18 fore the time prescribed by law for filing the return
19 of the employer for the taxable year (including ex-
20 tensions thereof), the employer may elect to treat
21 the plan as having been adopted as of the last day
22 of the taxable year.”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to plans adopted for taxable years
25 beginning after December 31, 2019.

1 **SEC. 202. COMBINED ANNUAL REPORT FOR GROUP OF**
2 **PLANS.**

3 (a) **IN GENERAL.**—The Secretary of the Treasury
4 and the Secretary of Labor shall, in cooperation, modify
5 the returns required under section 6058 of the Internal
6 Revenue Code of 1986 and the reports required by section
7 104 of the Employee Retirement Income Security Act of
8 1974 (29 U.S.C. 1024) so that all members of a group
9 of plans described in subsection (c) may file a single aggre-
10 gated annual return or report satisfying the requirements
11 of both such sections.

12 (b) **ADMINISTRATIVE REQUIREMENTS.**—In devel-
13 oping the consolidated return or report under subsection
14 (a), the Secretary of the Treasury and the Secretary of
15 Labor may require such return or report to include any
16 information regarding each plan in the group as such Sec-
17 retaries determine is necessary or appropriate for the en-
18 forcement and administration of the Internal Revenue
19 Code of 1986 and the Employee Retirement Income Secu-
20 rity Act of 1974 and shall require such information as will
21 enable a participant in a plan to identify any aggregated
22 return or report filed with respect to the plan.

23 (c) **PLANS DESCRIBED.**—A group of plans is de-
24 scribed in this subsection if all plans in the group—

25 (1) are individual account plans or defined con-
26 tribution plans (as defined in section 3(34) of the

1 Employee Retirement Income Security Act of 1974
2 (29 U.S.C. 1002(34)) or in section 414(i) of the In-
3 ternal Revenue Code of 1986);

4 (2) have—

5 (A) the same trustee (as described in sec-
6 tion 403(a) of such Act (29 U.S.C. 1103(a)));

7 (B) the same one or more named fidu-
8 ciaries (as described in section 402(a) of such
9 Act (29 U.S.C. 1102(a)));

10 (C) the same administrator (as defined in
11 section 3(16)(A) of such Act (29 U.S.C.
12 1002(16)(A))) and plan administrator (as de-
13 fined in section 414(g) of the Internal Revenue
14 Code of 1986); and

15 (D) plan years beginning on the same
16 date; and

17 (3) provide the same investments or investment
18 options to participants and beneficiaries.

19 A plan not subject to title I of the Employee Retirement
20 Income Security Act of 1974 shall be treated as meeting
21 the requirements of paragraph (2) as part of a group of
22 plans if the same person that performs each of the func-
23 tions described in such paragraph, as applicable, for all
24 other plans in such group performs each of such functions
25 for such plan.

1 (d) CLARIFICATION RELATING TO ELECTRONIC FIL-
2 ING OF RETURNS FOR DEFERRED COMPENSATION
3 PLANS.—

4 (1) IN GENERAL.—Section 6011(e) of the Inter-
5 nal Revenue Code of 1986 is amended by adding at
6 the end the following new paragraph:

7 “(6) APPLICATION OF NUMERICAL LIMITATION
8 TO RETURNS RELATING TO DEFERRED COMPENSA-
9 TION PLANS.—For purposes of applying the numer-
10 ical limitation under paragraph (2)(A) to any return
11 required under section 6058, information regarding
12 each plan for which information is provided on such
13 return shall be treated as a separate return.”.

14 (2) EFFECTIVE DATE.—The amendment made
15 by paragraph (1) shall apply to returns required to
16 be filed with respect to plan years beginning after
17 December 31, 2019.

18 (e) EFFECTIVE DATE.—The modification required by
19 subsection (a) shall be implemented not later than Janu-
20 ary 1, 2022, and shall apply to returns and reports for
21 plan years beginning after December 31, 2021.

22 **SEC. 203. DISCLOSURE REGARDING LIFETIME INCOME.**

23 (a) IN GENERAL.—Subparagraph (B) of section
24 105(a)(2) of the Employee Retirement Income Security
25 Act of 1974 (29 U.S.C. 1025(a)(2)) is amended—

1 (1) in clause (i), by striking “and” at the end;

2 (2) in clause (ii), by striking “diversification.”

3 and inserting “diversification, and”; and

4 (3) by inserting at the end the following:

5 “(iii) the lifetime income disclosure
6 described in subparagraph (D)(i).

7 In the case of pension benefit statements de-
8 scribed in clause (i) of paragraph (1)(A), a life-
9 time income disclosure under clause (iii) of this
10 subparagraph shall be required to be included
11 in only one pension benefit statement during
12 any one 12-month period.”.

13 (b) LIFETIME INCOME.—Paragraph (2) of section
14 105(a) of the Employee Retirement Income Security Act
15 of 1974 (29 U.S.C. 1025(a)) is amended by adding at the
16 end the following new subparagraph:

17 “(D) LIFETIME INCOME DISCLOSURE.—

18 “(i) IN GENERAL.—

19 “(I) DISCLOSURE.—A lifetime in-
20 come disclosure shall set forth the life-
21 time income stream equivalent of the
22 total benefits accrued with respect to
23 the participant or beneficiary.

24 “(II) LIFETIME INCOME STREAM
25 EQUIVALENT OF THE TOTAL BENE-

1 FITS ACCRUED.—For purposes of this
2 subparagraph, the term ‘lifetime in-
3 come stream equivalent of the total
4 benefits accrued’ means the amount of
5 monthly payments the participant or
6 beneficiary would receive if the total
7 accrued benefits of such participant or
8 beneficiary were used to provide life-
9 time income streams described in sub-
10 clause (III), based on assumptions
11 specified in rules prescribed by the
12 Secretary.

13 “(III) LIFETIME INCOME
14 STREAMS.—The lifetime income
15 streams described in this subclause
16 are a qualified joint and survivor an-
17 nuity (as defined in section 205(d)),
18 based on assumptions specified in
19 rules prescribed by the Secretary, in-
20 cluding the assumption that the par-
21 ticipant or beneficiary has a spouse of
22 equal age, and a single life annuity.
23 Such lifetime income streams may
24 have a term certain or other features

1 to the extent permitted under rules
2 prescribed by the Secretary.

3 “(ii) MODEL DISCLOSURE.—Not later
4 than 1 year after the date of the enact-
5 ment of the Setting Every Community Up
6 for Retirement Enhancement Act of 2019,
7 the Secretary shall issue a model lifetime
8 income disclosure, written in a manner so
9 as to be understood by the average plan
10 participant, which—

11 “(I) explains that the lifetime in-
12 come stream equivalent is only pro-
13 vided as an illustration;

14 “(II) explains that the actual
15 payments under the lifetime income
16 stream described in clause (i)(III)
17 which may be purchased with the
18 total benefits accrued will depend on
19 numerous factors and may vary sub-
20 stantially from the lifetime income
21 stream equivalent in the disclosures;

22 “(III) explains the assumptions
23 upon which the lifetime income stream
24 equivalent was determined; and

1 “(IV) provides such other similar
2 explanations as the Secretary con-
3 siders appropriate.

4 “(iii) ASSUMPTIONS AND RULES.—
5 Not later than 1 year after the date of the
6 enactment of the Setting Every Commu-
7 nity Up for Retirement Enhancement Act
8 of 2019, the Secretary shall—

9 “(I) prescribe assumptions which
10 administrators of individual account
11 plans may use in converting total ac-
12 crued benefits into lifetime income
13 stream equivalents for purposes of
14 this subparagraph; and

15 “(II) issue interim final rules
16 under clause (i).

17 In prescribing assumptions under sub-
18 clause (I), the Secretary may prescribe a
19 single set of specific assumptions (in which
20 case the Secretary may issue tables or fac-
21 tors which facilitate such conversions), or
22 ranges of permissible assumptions. To the
23 extent that an accrued benefit is or may be
24 invested in a lifetime income stream de-
25 scribed in clause (i)(III), the assumptions

1 prescribed under subclause (I) shall, to the
2 extent appropriate, permit administrators
3 of individual account plans to use the
4 amounts payable under such lifetime in-
5 come stream as a lifetime income stream
6 equivalent.

7 “(iv) LIMITATION ON LIABILITY.—No
8 plan fiduciary, plan sponsor, or other per-
9 son shall have any liability under this title
10 solely by reason of the provision of lifetime
11 income stream equivalents which are de-
12 rived in accordance with the assumptions
13 and rules described in clause (iii) and
14 which include the explanations contained in
15 the model lifetime income disclosure de-
16 scribed in clause (ii). This clause shall
17 apply without regard to whether the provi-
18 sion of such lifetime income stream equiva-
19 lent is required by subparagraph (B)(iii).

20 “(v) EFFECTIVE DATE.—The require-
21 ment in subparagraph (B)(iii) shall apply
22 to pension benefit statements furnished
23 more than 12 months after the latest of
24 the issuance by the Secretary of—

1 “(I) interim final rules under
2 clause (i);
3 “(II) the model disclosure under
4 clause (ii); or
5 “(III) the assumptions under
6 clause (iii).”.

7 **SEC. 204. FIDUCIARY SAFE HARBOR FOR SELECTION OF**
8 **LIFETIME INCOME PROVIDER.**

9 Section 404 of the Employee Retirement Income Se-
10 curity Act of 1974 (29 U.S.C. 1104) is amended by adding
11 at the end the following:

12 “(e) SAFE HARBOR FOR ANNUITY SELECTION.—

13 “(1) IN GENERAL.—With respect to the selec-
14 tion of an insurer for a guaranteed retirement in-
15 come contract, the requirements of subsection
16 (a)(1)(B) will be deemed to be satisfied if a fidu-
17 ciary—

18 “(A) engages in an objective, thorough,
19 and analytical search for the purpose of identi-
20 fying insurers from which to purchase such con-
21 tracts;

22 “(B) with respect to each insurer identified
23 under subparagraph (A)—

24 “(i) considers the financial capability
25 of such insurer to satisfy its obligations

1 under the guaranteed retirement income
2 contract; and

3 “(ii) considers the cost (including fees
4 and commissions) of the guaranteed retire-
5 ment income contract offered by the in-
6 surer in relation to the benefits and prod-
7 uct features of the contract and adminis-
8 trative services to be provided under such
9 contract; and

10 “(C) on the basis of such consideration,
11 concludes that—

12 “(i) at the time of the selection, the
13 insurer is financially capable of satisfying
14 its obligations under the guaranteed retire-
15 ment income contract; and

16 “(ii) the relative cost of the selected
17 guaranteed retirement income contract as
18 described in subparagraph (B)(ii) is rea-
19 sonable.

20 “(2) FINANCIAL CAPABILITY OF THE IN-
21 SURER.—A fiduciary will be deemed to satisfy the
22 requirements of paragraphs (1)(B)(i) and (1)(C)(i)
23 if—

24 “(A) the fiduciary obtains written rep-
25 resentations from the insurer that—

1 “(i) the insurer is licensed to offer
2 guaranteed retirement income contracts;

3 “(ii) the insurer, at the time of selec-
4 tion and for each of the immediately pre-
5 ceding 7 plan years—

6 “(I) operates under a certificate
7 of authority from the insurance com-
8 missioner of its domiciliary State
9 which has not been revoked or sus-
10 pended;

11 “(II) has filed audited financial
12 statements in accordance with the
13 laws of its domiciliary State under ap-
14 plicable statutory accounting prin-
15 ciples;

16 “(III) maintains (and has main-
17 tained) reserves which satisfies all the
18 statutory requirements of all States
19 where the insurer does business; and

20 “(IV) is not operating under an
21 order of supervision, rehabilitation, or
22 liquidation;

23 “(iii) the insurer undergoes, at least
24 every 5 years, a financial examination
25 (within the meaning of the law of its domi-

1 ciliary State) by the insurance commis-
2 sioner of the domiciliary State (or rep-
3 resentative, designee, or other party ap-
4 proved by such commissioner); and

5 “(iv) the insurer will notify the fidu-
6 ciary of any change in circumstances oc-
7 curring after the provision of the represen-
8 tations in clauses (i), (ii), and (iii) which
9 would preclude the insurer from making
10 such representations at the time of
11 issuance of the guaranteed retirement in-
12 come contract; and

13 “(B) after receiving such representations
14 and as of the time of selection, the fiduciary
15 has not received any notice described in sub-
16 paragraph (A)(iv) and is in possession of no
17 other information which would cause the fidu-
18 ciary to question the representations provided.

19 “(3) NO REQUIREMENT TO SELECT LOWEST
20 COST.—Nothing in this subsection shall be construed
21 to require a fiduciary to select the lowest cost con-
22 tract. A fiduciary may consider the value of a con-
23 tract, including features and benefits of the contract
24 and attributes of the insurer (including, without lim-

1 itation, the insurer’s financial strength) in conjunc-
2 tion with the cost of the contract.

3 “(4) TIME OF SELECTION.—

4 “(A) IN GENERAL.—For purposes of this
5 subsection, the time of selection is—

6 “(i) the time that the insurer and the
7 contract are selected for distribution of
8 benefits to a specific participant or bene-
9 ficiary; or

10 “(ii) if the fiduciary periodically re-
11 views the continuing appropriateness of the
12 conclusion described in paragraph (1)(C)
13 with respect to a selected insurer, taking
14 into account the considerations described
15 in such paragraph, the time that the in-
16 surer and the contract are selected to pro-
17 vide benefits at future dates to participants
18 or beneficiaries under the plan.

19 Nothing in the preceding sentence shall be con-
20 strued to require the fiduciary to review the ap-
21 propriateness of a selection after the purchase
22 of a contract for a participant or beneficiary.

23 “(B) PERIODIC REVIEW.—A fiduciary will
24 be deemed to have conducted the periodic re-
25 view described in subparagraph (A)(ii) if the fi-

1 duciary obtains the written representations de-
2 scribed in clauses (i), (ii), and (iii) of paragraph
3 (2)(A) from the insurer on an annual basis, un-
4 less the fiduciary receives any notice described
5 in paragraph (2)(A)(iv) or otherwise becomes
6 aware of facts that would cause the fiduciary to
7 question such representations.

8 “(5) LIMITED LIABILITY.—A fiduciary which
9 satisfies the requirements of this subsection shall not
10 be liable following the distribution of any benefit, or
11 the investment by or on behalf of a participant or
12 beneficiary pursuant to the selected guaranteed re-
13 tirement income contract, for any losses that may
14 result to the participant or beneficiary due to an in-
15 surer’s inability to satisfy its financial obligations
16 under the terms of such contract.

17 “(6) DEFINITIONS.—For purposes of this sub-
18 section—

19 “(A) INSURER.—The term ‘insurer’ means
20 an insurance company, insurance service, or in-
21 surance organization, including affiliates of
22 such companies.

23 “(B) GUARANTEED RETIREMENT INCOME
24 CONTRACT.—The term ‘guaranteed retirement
25 income contract’ means an annuity contract for

1 a fixed term or a contract (or provision or fea-
2 ture thereof) which provides guaranteed bene-
3 fits annually (or more frequently) for at least
4 the remainder of the life of the participant or
5 the joint lives of the participant and the partici-
6 pant’s designated beneficiary as part of an indi-
7 vidual account plan.”.

8 **SEC. 205. MODIFICATION OF NONDISCRIMINATION RULES**
9 **TO PROTECT OLDER, LONGER SERVICE PAR-**
10 **TICIPANTS.**

11 (a) IN GENERAL.—Section 401 of the Internal Rev-
12 enue Code of 1986 is amended—

13 (1) by redesignating subsection (o) as sub-
14 section (p); and

15 (2) by inserting after subsection (n) the fol-
16 lowing new subsection:

17 “(o) SPECIAL RULES FOR APPLYING NON-
18 DISCRIMINATION RULES TO PROTECT OLDER, LONGER
19 SERVICE AND GRANDFATHERED PARTICIPANTS.—

20 “(1) TESTING OF DEFINED BENEFIT PLANS
21 WITH CLOSED CLASSES OF PARTICIPANTS.—

22 “(A) BENEFITS, RIGHTS, OR FEATURES
23 PROVIDED TO CLOSED CLASSES.—A defined
24 benefit plan which provides benefits, rights, or
25 features to a closed class of participants shall

1 not fail to satisfy the requirements of sub-
2 section (a)(4) by reason of the composition of
3 such closed class or the benefits, rights, or fea-
4 tures provided to such closed class, if—

5 “(i) for the plan year as of which the
6 class closes and the 2 succeeding plan
7 years, such benefits, rights, and features
8 satisfy the requirements of subsection
9 (a)(4) (without regard to this subpara-
10 graph but taking into account the rules of
11 subparagraph (I)),

12 “(ii) after the date as of which the
13 class was closed, any plan amendment
14 which modifies the closed class or the ben-
15 efits, rights, and features provided to such
16 closed class does not discriminate signifi-
17 cantly in favor of highly compensated em-
18 ployees, and

19 “(iii) the class was closed before April
20 5, 2017, or the plan is described in sub-
21 paragraph (C).

22 “(B) AGGREGATE TESTING WITH DEFINED
23 CONTRIBUTION PLANS PERMITTED ON A BENE-
24 FITS BASIS.—

1 “(i) IN GENERAL.—For purposes of
2 determining compliance with subsection
3 (a)(4) and section 410(b), a defined benefit
4 plan described in clause (iii) may be aggre-
5 gated and tested on a benefits basis with
6 1 or more defined contribution plans, in-
7 cluding with the portion of 1 or more de-
8 fined contribution plans which—

9 “(I) provides matching contribu-
10 tions (as defined in subsection
11 (m)(4)(A)),

12 “(II) provides annuity contracts
13 described in section 403(b) which are
14 purchased with matching contribu-
15 tions or nonelective contributions, or

16 “(III) consists of an employee
17 stock ownership plan (within the
18 meaning of section 4975(e)(7)) or a
19 tax credit employee stock ownership
20 plan (within the meaning of section
21 409(a)).

22 “(ii) SPECIAL RULES FOR MATCHING
23 CONTRIBUTIONS.—For purposes of clause
24 (i), if a defined benefit plan is aggregated

1 with a portion of a defined contribution
2 plan providing matching contributions—

3 “(I) such defined benefit plan
4 must also be aggregated with any por-
5 tion of such defined contribution plan
6 which provides elective deferrals de-
7 scribed in subparagraph (A) or (C) of
8 section 402(g)(3), and

9 “(II) such matching contribu-
10 tions shall be treated in the same
11 manner as nonelective contributions,
12 including for purposes of applying the
13 rules of subsection (l).

14 “(iii) PLANS DESCRIBED.—A defined
15 benefit plan is described in this clause if—

16 “(I) the plan provides benefits to
17 a closed class of participants,

18 “(II) for the plan year as of
19 which the class closes and the 2 suc-
20 ceeding plan years, the plan satisfies
21 the requirements of section 410(b)
22 and subsection (a)(4) (without regard
23 to this subparagraph but taking into
24 account the rules of subparagraph
25 (I)),

1 “(III) after the date as of which
2 the class was closed, any plan amend-
3 ment which modifies the closed class
4 or the benefits provided to such closed
5 class does not discriminate signifi-
6 cantly in favor of highly compensated
7 employees, and

8 “(IV) the class was closed before
9 April 5, 2017, or the plan is described
10 in subparagraph (C).

11 “(C) PLANS DESCRIBED.—A plan is de-
12 scribed in this subparagraph if, taking into ac-
13 count any predecessor plan—

14 “(i) such plan has been in effect for
15 at least 5 years as of the date the class is
16 closed, and

17 “(ii) during the 5-year period pre-
18 ceding the date the class is closed, there
19 has not been a substantial increase in the
20 coverage or value of the benefits, rights, or
21 features described in subparagraph (A) or
22 in the coverage or benefits under the plan
23 described in subparagraph (B)(iii) (which-
24 ever is applicable).

1 “(D) DETERMINATION OF SUBSTANTIAL
2 INCREASE FOR BENEFITS, RIGHTS, AND FEA-
3 TURES.—In applying subparagraph (C)(ii) for
4 purposes of subparagraph (A)(iii), a plan shall
5 be treated as having had a substantial increase
6 in coverage or value of the benefits, rights, or
7 features described in subparagraph (A) during
8 the applicable 5-year period only if, during such
9 period—

10 “(i) the number of participants cov-
11 ered by such benefits, rights, or features
12 on the date such period ends is more than
13 50 percent greater than the number of
14 such participants on the first day of the
15 plan year in which such period began, or

16 “(ii) such benefits, rights, and fea-
17 tures have been modified by 1 or more
18 plan amendments in such a way that, as of
19 the date the class is closed, the value of
20 such benefits, rights, and features to the
21 closed class as a whole is substantially
22 greater than the value as of the first day
23 of such 5-year period, solely as a result of
24 such amendments.

1 “(E) DETERMINATION OF SUBSTANTIAL
2 INCREASE FOR AGGREGATE TESTING ON BENE-
3 FITS BASIS.—In applying subparagraph (C)(ii)
4 for purposes of subparagraph (B)(iii)(IV), a
5 plan shall be treated as having had a substan-
6 tial increase in coverage or benefits during the
7 applicable 5-year period only if, during such pe-
8 riod—

9 “(i) the number of participants bene-
10 fitting under the plan on the date such pe-
11 riod ends is more than 50 percent greater
12 than the number of such participants on
13 the first day of the plan year in which such
14 period began, or

15 “(ii) the average benefit provided to
16 such participants on the date such period
17 ends is more than 50 percent greater than
18 the average benefit provided on the first
19 day of the plan year in which such period
20 began.

21 “(F) CERTAIN EMPLOYEES DIS-
22 REGARDED.—For purposes of subparagraphs
23 (D) and (E), any increase in coverage or value
24 or in coverage or benefits, whichever is applica-
25 ble, which is attributable to such coverage and

1 value or coverage and benefits provided to em-
2 ployees—

3 “(i) who became participants as a re-
4 sult of a merger, acquisition, or similar
5 event which occurred during the 7-year pe-
6 riod preceding the date the class is closed,
7 or

8 “(ii) who became participants by rea-
9 son of a merger of the plan with another
10 plan which had been in effect for at least
11 5 years as of the date of the merger,
12 shall be disregarded, except that clause (ii)
13 shall apply for purposes of subparagraph (D)
14 only if, under the merger, the benefits, rights,
15 or features under 1 plan are conformed to the
16 benefits, rights, or features of the other plan
17 prospectively.

18 “(G) RULES RELATING TO AVERAGE BEN-
19 EFIT.—For purposes of subparagraph (E)—

20 “(i) the average benefit provided to
21 participants under the plan will be treated
22 as having remained the same between the
23 2 dates described in subparagraph (E)(ii)
24 if the benefit formula applicable to such

1 participants has not changed between such
2 dates, and

3 “(ii) if the benefit formula applicable
4 to 1 or more participants under the plan
5 has changed between such 2 dates, then
6 the average benefit under the plan shall be
7 considered to have increased by more than
8 50 percent only if—

9 “(I) the total amount determined
10 under section 430(b)(1)(A)(i) for all
11 participants benefitting under the
12 plan for the plan year in which the 5-
13 year period described in subparagraph
14 (E) ends, exceeds

15 “(II) the total amount deter-
16 mined under section 430(b)(1)(A)(i)
17 for all such participants for such plan
18 year, by using the benefit formula in
19 effect for each such participant for
20 the first plan year in such 5-year pe-
21 riod,

22 by more than 50 percent. In the case of a
23 CSEC plan (as defined in section 414(y)),
24 the normal cost of the plan (as determined
25 under section 433(j)(1)(B)) shall be used

1 in lieu of the amount determined under
2 section 430(b)(1)(A)(i).

3 “(H) TREATMENT AS SINGLE PLAN.—For
4 purposes of subparagraphs (E) and (G), a plan
5 described in section 413(c) shall be treated as
6 a single plan rather than as separate plans
7 maintained by each employer in the plan.

8 “(I) SPECIAL RULES.—For purposes of
9 subparagraphs (A)(i) and (B)(iii)(II), the fol-
10 lowing rules shall apply:

11 “(i) In applying section 410(b)(6)(C),
12 the closing of the class of participants shall
13 not be treated as a significant change in
14 coverage under section 410(b)(6)(C)(i)(II).

15 “(ii) 2 or more plans shall not fail to
16 be eligible to be aggregated and treated as
17 a single plan solely by reason of having dif-
18 ferent plan years.

19 “(iii) Changes in the employee popu-
20 lation shall be disregarded to the extent at-
21 tributable to individuals who become em-
22 ployees or cease to be employees, after the
23 date the class is closed, by reason of a
24 merger, acquisition, divestiture, or similar
25 event.

1 “(iv) Aggregation and all other testing
2 methodologies otherwise applicable under
3 subsection (a)(4) and section 410(b) may
4 be taken into account.

5 The rule of clause (ii) shall also apply for pur-
6 poses of determining whether plans to which
7 subparagraph (B)(i) applies may be aggregated
8 and treated as 1 plan for purposes of deter-
9 mining whether such plans meet the require-
10 ments of subsection (a)(4) and section 410(b).

11 “(J) SPUN-OFF PLANS.—For purposes of
12 this paragraph, if a portion of a defined benefit
13 plan described in subparagraph (A) or (B)(iii)
14 is spun off to another employer and the spun-
15 off plan continues to satisfy the requirements
16 of—

17 “(i) subparagraph (A)(i) or
18 (B)(iii)(II), whichever is applicable, if the
19 original plan was still within the 3-year pe-
20 riod described in such subparagraph at the
21 time of the spin off, and

22 “(ii) subparagraph (A)(ii) or
23 (B)(iii)(III), whichever is applicable,

1 the treatment under subparagraph (A) or (B)
2 of the spun-off plan shall continue with respect
3 to such other employer.

4 “(2) TESTING OF DEFINED CONTRIBUTION
5 PLANS.—

6 “(A) TESTING ON A BENEFITS BASIS.—A
7 defined contribution plan shall be permitted to
8 be tested on a benefits basis if—

9 “(i) such defined contribution plan
10 provides make-whole contributions to a
11 closed class of participants whose accruals
12 under a defined benefit plan have been re-
13 duced or eliminated,

14 “(ii) for the plan year of the defined
15 contribution plan as of which the class eli-
16 gible to receive such make-whole contribu-
17 tions closes and the 2 succeeding plan
18 years, such closed class of participants sat-
19 isfies the requirements of section
20 410(b)(2)(A)(i) (determined by applying
21 the rules of paragraph (1)(I)),

22 “(iii) after the date as of which the
23 class was closed, any plan amendment to
24 the defined contribution plan which modi-
25 fies the closed class or the allocations, ben-

1 efits, rights, and features provided to such
2 closed class does not discriminate signifi-
3 cantly in favor of highly compensated em-
4 ployees, and

5 “(iv) the class was closed before April
6 5, 2017, or the defined benefit plan under
7 clause (i) is described in paragraph (1)(C)
8 (as applied for purposes of paragraph
9 (1)(B)(iii)(IV)).

10 “(B) AGGREGATION WITH PLANS INCLUD-
11 ING MATCHING CONTRIBUTIONS.—

12 “(i) IN GENERAL.—With respect to 1
13 or more defined contribution plans de-
14 scribed in subparagraph (A), for purposes
15 of determining compliance with subsection
16 (a)(4) and section 410(b), the portion of
17 such plans which provides make-whole con-
18 tributions or other nonelective contribu-
19 tions may be aggregated and tested on a
20 benefits basis with the portion of 1 or
21 more other defined contribution plans
22 which—

23 “(I) provides matching contribu-
24 tions (as defined in subsection
25 (m)(4)(A)),

1 “(II) provides annuity contracts
2 described in section 403(b) which are
3 purchased with matching contribu-
4 tions or nonelective contributions, or

5 “(III) consists of an employee
6 stock ownership plan (within the
7 meaning of section 4975(e)(7)) or a
8 tax credit employee stock ownership
9 plan (within the meaning of section
10 409(a)).

11 “(ii) SPECIAL RULES FOR MATCHING
12 CONTRIBUTIONS.—Rules similar to the
13 rules of paragraph (1)(B)(ii) shall apply
14 for purposes of clause (i).

15 “(C) SPECIAL RULES FOR TESTING DE-
16 FINED CONTRIBUTION PLAN FEATURES PRO-
17 VIDING MATCHING CONTRIBUTIONS TO CERTAIN
18 OLDER, LONGER SERVICE PARTICIPANTS.—In
19 the case of a defined contribution plan which
20 provides benefits, rights, or features to a closed
21 class of participants whose accruals under a de-
22 fined benefit plan have been reduced or elimi-
23 nated, the plan shall not fail to satisfy the re-
24 quirements of subsection (a)(4) solely by reason
25 of the composition of the closed class or the

1 benefits, rights, or features provided to such
2 closed class if the defined contribution plan and
3 defined benefit plan otherwise meet the require-
4 ments of subparagraph (A) but for the fact that
5 the make-whole contributions under the defined
6 contribution plan are made in whole or in part
7 through matching contributions.

8 “(D) SPUN-OFF PLANS.—For purposes of
9 this paragraph, if a portion of a defined con-
10 tribution plan described in subparagraph (A) or
11 (C) is spun off to another employer, the treat-
12 ment under subparagraph (A) or (C) of the
13 spun-off plan shall continue with respect to the
14 other employer if such plan continues to comply
15 with the requirements of clauses (ii) (if the
16 original plan was still within the 3-year period
17 described in such clause at the time of the spin
18 off) and (iii) of subparagraph (A), as deter-
19 mined for purposes of subparagraph (A) or (C),
20 whichever is applicable.

21 “(3) DEFINITIONS AND SPECIAL RULE.—For
22 purposes of this subsection—

23 “(A) MAKE-WHOLE CONTRIBUTIONS.—Ex-
24 cept as otherwise provided in paragraph (2)(C),
25 the term ‘make-whole contributions’ means non-

1 elective allocations for each employee in the
2 class which are reasonably calculated, in a con-
3 sistent manner, to replace some or all of the re-
4 tirement benefits which the employee would
5 have received under the defined benefit plan
6 and any other plan or qualified cash or deferred
7 arrangement under subsection (k)(2) if no
8 change had been made to such defined benefit
9 plan and such other plan or arrangement. For
10 purposes of the preceding sentence, consistency
11 shall not be required with respect to employees
12 who were subject to different benefit formulas
13 under the defined benefit plan.

14 “(B) REFERENCES TO CLOSED CLASS OF
15 PARTICIPANTS.—References to a closed class of
16 participants and similar references to a closed
17 class shall include arrangements under which 1
18 or more classes of participants are closed, ex-
19 cept that 1 or more classes of participants
20 closed on different dates shall not be aggre-
21 gated for purposes of determining the date any
22 such class was closed.

23 “(C) HIGHLY COMPENSATED EMPLOYEE.—
24 The term ‘highly compensated employee’ has

1 the meaning given such term in section
2 414(q).”.

3 (b) PARTICIPATION REQUIREMENTS.—Paragraph
4 (26) of section 401(a) of the Internal Revenue Code of
5 1986 is amended by adding at the end the following new
6 subparagraph:

7 “(I) PROTECTED PARTICIPANTS.—

8 “(i) IN GENERAL.—A plan shall be
9 deemed to satisfy the requirements of sub-
10 paragraph (A) if—

11 “(I) the plan is amended—

12 “(aa) to cease all benefit ac-
13 cruals, or

14 “(bb) to provide future ben-
15 efit accruals only to a closed
16 class of participants,

17 “(II) the plan satisfies subpara-
18 graph (A) (without regard to this sub-
19 paragraph) as of the effective date of
20 the amendment, and

21 “(III) the amendment was adopt-
22 ed before April 5, 2017, or the plan is
23 described in clause (ii).

24 “(ii) PLANS DESCRIBED.—A plan is
25 described in this clause if the plan would

1 be described in subsection (o)(1)(C), as ap-
2 plied for purposes of subsection
3 (o)(1)(B)(iii)(IV) and by treating the effec-
4 tive date of the amendment as the date the
5 class was closed for purposes of subsection
6 (o)(1)(C).

7 “(iii) SPECIAL RULES.—For purposes
8 of clause (i)(II), in applying section
9 410(b)(6)(C), the amendments described in
10 clause (i) shall not be treated as a signifi-
11 cant change in coverage under section
12 410(b)(6)(C)(i)(II).

13 “(iv) SPUN-OFF PLANS.—For pur-
14 poses of this subparagraph, if a portion of
15 a plan described in clause (i) is spun off to
16 another employer, the treatment under
17 clause (i) of the spun-off plan shall con-
18 tinue with respect to the other employer.”.

19 (c) EFFECTIVE DATE.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), the amendments made by this section
22 shall take effect on the date of the enactment of this
23 Act, without regard to whether any plan modifica-
24 tions referred to in such amendments are adopted or
25 effective before, on, or after such date of enactment.

1 (2) SPECIAL RULES.—

2 (A) ELECTION OF EARLIER APPLICA-
3 TION.—At the election of the plan sponsor, the
4 amendments made by this section shall apply to
5 plan years beginning after December 31, 2013.

6 (B) CLOSED CLASSES OF PARTICIPANTS.—
7 For purposes of paragraphs (1)(A)(iii),
8 (1)(B)(iii)(IV), and (2)(A)(iv) of section 401(o)
9 of the Internal Revenue Code of 1986 (as added
10 by this section), a closed class of participants
11 shall be treated as being closed before April 5,
12 2017, if the plan sponsor’s intention to create
13 such closed class is reflected in formal written
14 documents and communicated to participants
15 before such date.

16 (C) CERTAIN POST-ENACTMENT PLAN
17 AMENDMENTS.—A plan shall not be treated as
18 failing to be eligible for the application of sec-
19 tion 401(o)(1)(A), 401(o)(1)(B)(iii), or
20 401(a)(26) of such Code (as added by this sec-
21 tion) to such plan solely because in the case
22 of—

23 (i) such section 401(o)(1)(A), the plan
24 was amended before the date of the enact-
25 ment of this Act to eliminate 1 or more

1 benefits, rights, or features, and is further
2 amended after such date of enactment to
3 provide such previously eliminated benefits,
4 rights, or features to a closed class of par-
5 ticipants, or

6 (ii) such section 401(o)(1)(B)(iii) or
7 section 401(a)(26), the plan was amended
8 before the date of the enactment of this
9 Act to cease all benefit accruals, and is
10 further amended after such date of enact-
11 ment to provide benefit accruals to a closed
12 class of participants.

13 Any such section shall only apply if the plan
14 otherwise meets the requirements of such sec-
15 tion and in applying such section, the date the
16 class of participants is closed shall be the effec-
17 tive date of the later amendment.

18 **SEC. 206. MODIFICATION OF PBGC PREMIUMS FOR CSEC**
19 **PLANS.**

20 (a) **FLAT RATE PREMIUM.**—Subparagraph (A) of
21 section 4006(a)(3) of the Employee Retirement Income
22 Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amend-
23 ed—

1 (1) in clause (i), by striking “plan,” and insert-
2 ing “plan other than a CSEC plan (as defined in
3 section 210(f)(1))”;

4 (2) in clause (v), by striking “or” at the end;

5 (3) in clause (vi), by striking the period at the
6 end and inserting “, or”; and

7 (4) by adding at the end the following new
8 clause:

9 “(vii) in the case of a CSEC plan (as
10 defined in section 210(f)(1)), for plan
11 years beginning after December 31, 2018,
12 for each individual who is a participant in
13 such plan during the plan year an amount
14 equal to the sum of—

15 “(I) the additional premium (if
16 any) determined under subparagraph
17 (E), and

18 “(II) \$19.”.

19 (b) VARIABLE RATE PREMIUM.—

20 (1) UNFUNDED VESTED BENEFITS.—

21 (A) IN GENERAL.—Subparagraph (E) of
22 section 4006(a)(3) of the Employee Retirement
23 Income Security Act of 1974 (29 U.S.C.
24 1306(a)(3)) is amended by adding at the end
25 the following new clause:

1 “(v) For purposes of clause (ii), in the case
2 of a CSEC plan (as defined in section
3 210(f)(1)), the term ‘unfunded vested benefits’
4 means, for plan years beginning after December
5 31, 2018, the excess (if any) of—

6 “(I) the funding liability of the plan
7 as determined under section 306(j)(5)(C)
8 for the plan year by only taking into ac-
9 count vested benefits, over

10 “(II) the fair market value of plan as-
11 sets for the plan year which are held by
12 the plan on the valuation date.”.

13 (B) CONFORMING AMENDMENT.—Clause
14 (iii) of section 4006(a)(3)(E) of such Act (29
15 U.S.C. 1306(a)(3)(E)) is amended by striking
16 “For purposes” and inserting “Except as pro-
17 vided in clause (v), for purposes”.

18 (2) APPLICABLE DOLLAR AMOUNT.—

19 (A) IN GENERAL.—Paragraph (8) of sec-
20 tion 4006(a) of such Act (29 U.S.C. 1306(a))
21 is amended by adding at the end the following
22 new subparagraph:

23 “(E) CSEC PLANS.—In the case of a
24 CSEC plan (as defined in section 210(f)(1)),
25 the applicable dollar amount shall be \$9.”.

1 (B) CONFORMING AMENDMENT.—Subpara-
2 graph (A) of section 4006(a)(8) of such Act (29
3 U.S.C. 1306(a)(8)) is amended by striking “(B)
4 and (C)” and inserting “(B), (C), and (E)”.

5 **TITLE III—OTHER BENEFITS**

6 **SEC. 301. BENEFITS PROVIDED TO VOLUNTEER FIRE-** 7 **FIGHTERS AND EMERGENCY MEDICAL RE-** 8 **SPONDERS.**

9 (a) INCREASE IN DOLLAR LIMITATION ON QUALI-
10 FIED PAYMENTS.—Subparagraph (B) of section
11 139B(c)(2) of the Internal Revenue Code of 1986 is
12 amended by striking “\$30” and inserting “\$50”.

13 (b) EXTENSION.—Section 139B(d) of the Internal
14 Revenue Code of 1986 is amended by striking “beginning
15 after December 31, 2010.” and inserting “beginning—

16 “(1) after December 31, 2010, and before Jan-
17 uary 1, 2020, or

18 “(2) after December 31, 2020.”.

19 (c) TECHNICAL CORRECTION.—Section 3121(a)(23)
20 of such Code is amended by striking “139B(b)” and in-
21 serting “section 139B(a)”.

22 (d) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to taxable years beginning after
24 December 31, 2019.

1 **SEC. 302. EXPANSION OF SECTION 529 PLANS.**

2 (a) DISTRIBUTIONS FOR CERTAIN EXPENSES ASSO-
3 CIATED WITH REGISTERED APPRENTICESHIP PRO-
4 GRAMS.—Section 529(c) of the Internal Revenue Code of
5 1986 is amended by adding at the end the following new
6 paragraph:

7 “(8) TREATMENT OF CERTAIN EXPENSES ASSO-
8 CIATED WITH REGISTERED APPRENTICESHIP PRO-
9 GRAMS.—Any reference in this subsection to the
10 term ‘qualified higher education expense’ shall in-
11 clude a reference to expenses for fees, books, sup-
12 plies, and equipment required for the participation
13 of a designated beneficiary in an apprenticeship pro-
14 gram registered and certified with the Secretary of
15 Labor under section 1 of the National Apprentice-
16 ship Act (29 U.S.C. 50).”.

17 (b) DISTRIBUTIONS FOR QUALIFIED EDUCATION
18 LOAN REPAYMENTS.—

19 (1) IN GENERAL.—Section 529(c) of such Code,
20 as amended by subsection (a), is amended by adding
21 at the end the following new paragraph:

22 “(9) TREATMENT OF QUALIFIED EDUCATION
23 LOAN REPAYMENTS.—

24 “(A) IN GENERAL.—Any reference in this
25 subsection to the term ‘qualified higher edu-
26 cation expense’ shall include a reference to

1 amounts paid as principal or interest on any
2 qualified education loan (as defined in section
3 221(d)) of the designated beneficiary or a sib-
4 ling of the designated beneficiary.

5 “(B) LIMITATION.—The amount of dis-
6 tributions treated as a qualified higher edu-
7 cation expense under this paragraph with re-
8 spect to the loans of any individual shall not ex-
9 ceed \$10,000 (reduced by the amount of dis-
10 tributions so treated for all prior taxable years).

11 “(C) SPECIAL RULES FOR SIBLINGS OF
12 THE DESIGNATED BENEFICIARY.—

13 “(i) SEPARATE ACCOUNTING.—For
14 purposes of subparagraph (B) and sub-
15 section (d), amounts treated as a qualified
16 higher education expense with respect to
17 the loans of a sibling of the designated
18 beneficiary shall be taken into account
19 with respect to such sibling and not with
20 respect to such designated beneficiary.

21 “(ii) SIBLING DEFINED.—For pur-
22 poses of this paragraph, the term ‘sibling’
23 means an individual who bears a relation-
24 ship to the designated beneficiary which is
25 described in section 152(d)(2)(B).”.

1 (2) COORDINATION WITH DEDUCTION FOR STU-
2 DENT LOAN INTEREST.—Section 221(e)(1) of such
3 Code is amended by adding at the end the following:
4 “‘The deduction otherwise allowable under subsection
5 (a) (prior to the application of subsection (b)) to the
6 taxpayer for any taxable year shall be reduced (but
7 not below zero) by so much of the distributions
8 treated as a qualified higher education expense
9 under section 529(c)(9) with respect to loans of the
10 taxpayer as would be includible in gross income
11 under section 529(c)(3)(A) for such taxable year but
12 for such treatment.’”.

13 (c) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to distributions made after Decem-
15 ber 31, 2018.

16 **TITLE IV—REVENUE** 17 **PROVISIONS**

18 **SEC. 401. MODIFICATION OF REQUIRED DISTRIBUTION** 19 **RULES FOR DESIGNATED BENEFICIARIES.**

20 (a) MODIFICATION OF RULES WHERE EMPLOYEE
21 DIES BEFORE ENTIRE DISTRIBUTION.—

22 (1) IN GENERAL.—Section 401(a)(9) of the In-
23 ternal Revenue Code of 1986 is amended by adding
24 at the end the following new subparagraph:

1 “(H) SPECIAL RULES FOR CERTAIN DE-
2 FINED CONTRIBUTION PLANS.—In the case of a
3 defined contribution plan, if an employee dies
4 before the distribution of the employee’s entire
5 interest—

6 “(i) IN GENERAL.—Except in the case
7 of a beneficiary who is not a designated
8 beneficiary, subparagraph (B)(ii)—

9 “(I) shall be applied by sub-
10 stituting ‘10 years’ for ‘5 years’, and

11 “(II) shall apply whether or not
12 distributions of the employee’s inter-
13 ests have begun in accordance with
14 subparagraph (A).

15 “(ii) EXCEPTION FOR ELIGIBLE DES-
16 IGNATED BENEFICIARIES.—Subparagraph
17 (B)(iii) shall apply only in the case of an
18 eligible designated beneficiary.

19 “(iii) RULES UPON DEATH OF ELIGI-
20 BLE DESIGNATED BENEFICIARY.—If an el-
21 igible designated beneficiary dies before the
22 portion of the employee’s interest to which
23 this subparagraph applies is entirely dis-
24 tributed, the exception under clause (ii)
25 shall not apply to any beneficiary of such

1 eligible designated beneficiary and the re-
2 mainder of such portion shall be distrib-
3 uted within 10 years after the death of
4 such eligible designated beneficiary.

5 “(iv) SPECIAL RULE IN CASE OF CER-
6 TAIN TRUSTS FOR DISABLED OR CHRON-
7 ICALLY ILL BENEFICIARIES.—In the case
8 of an applicable multi-beneficiary trust, if
9 under the terms of the trust—

10 “(I) it is to be divided imme-
11 diately upon the death of the em-
12 ployee into separate trusts for each
13 beneficiary, or

14 “(II) no individual (other than a
15 eligible designated beneficiary de-
16 scribed in subclause (III) or (IV) of
17 subparagraph (E)(ii)) has any right to
18 the employee’s interest in the plan
19 until the death of all such eligible des-
20 ignated beneficiaries with respect to
21 the trust,

22 for purposes of a trust described in sub-
23 clause (I), clause (ii) shall be applied sepa-
24 rately with respect to the portion of the
25 employee’s interest that is payable to any

1 eligible designated beneficiary described in
2 subclause (III) or (IV) of subparagraph
3 (E)(ii); and, for purposes of a trust de-
4 scribed in subclause (II), subparagraph
5 (B)(iii) shall apply to the distribution of
6 the employee’s interest and any beneficiary
7 who is not such an eligible designated ben-
8 efiary shall be treated as a beneficiary of
9 the eligible designated beneficiary upon the
10 death of such eligible designated bene-
11 ficiary.

12 “(v) APPLICABLE MULTI-BENE-
13 FICIARY TRUST.—For purposes of this sub-
14 paragraph, the term ‘applicable multi-bene-
15 ficiary trust’ means a trust—

16 “(I) which has more than one
17 beneficiary,

18 “(II) all of the beneficiaries of
19 which are treated as designated bene-
20 ficiaries for purposes of determining
21 the distribution period pursuant to
22 this paragraph, and

23 “(III) at least one of the bene-
24 ficiaries of which is an eligible des-
25 igned beneficiary described in sub-

1 clause (III) or (IV) of subparagraph
2 (E)(ii).

3 “(vi) APPLICATION TO CERTAIN ELI-
4 GIBLE RETIREMENT PLANS.—For purposes
5 of applying the provisions of this subpara-
6 graph in determining amounts required to
7 be distributed pursuant to this paragraph,
8 all eligible retirement plans (as defined in
9 section 402(c)(8)(B), other than a defined
10 benefit plan described in clause (iv) or (v)
11 thereof or a qualified trust which is a part
12 of a defined benefit plan) shall be treated
13 as a defined contribution plan.”.

14 (2) DEFINITION OF ELIGIBLE DESIGNATED
15 BENEFICIARY.—Section 401(a)(9)(E) of such Code
16 is amended to read as follows:

17 “(E) DEFINITIONS AND RULES RELATING
18 TO DESIGNATED BENEFICIARIES.—For pur-
19 poses of this paragraph—

20 “(i) DESIGNATED BENEFICIARY.—The
21 term ‘designated beneficiary’ means any
22 individual designated as a beneficiary by
23 the employee.

24 “(ii) ELIGIBLE DESIGNATED BENE-
25 FICIARY.—The term ‘eligible designated

1 beneficiary’ means, with respect to any em-
2 ployee, any designated beneficiary who is—

3 “(I) the surviving spouse of the
4 employee,

5 “(II) subject to clause (iii), a
6 child of the employee who has not
7 reached majority (within the meaning
8 of subparagraph (F)),

9 “(III) disabled (within the mean-
10 ing of section 72(m)(7)),

11 “(IV) a chronically ill individual
12 (within the meaning of section
13 7702B(c)(2), except that the require-
14 ments of subparagraph (A)(i) thereof
15 shall only be treated as met if there is
16 a certification that, as of such date,
17 the period of inability described in
18 such subparagraph with respect to the
19 individual is an indefinite one which is
20 reasonably expected to be lengthy in
21 nature), or

22 “(V) an individual not described
23 in any of the preceding subclauses
24 who is not more than 10 years young-
25 er than the employee.

1 The determination of whether a designated
2 beneficiary is an eligible designated bene-
3 ficiary shall be made as of the date of
4 death of the employee.

5 “(iii) SPECIAL RULE FOR CHIL-
6 DREN.—Subject to subparagraph (F), an
7 individual described in clause (ii)(II) shall
8 cease to be an eligible designated bene-
9 ficiary as of the date the individual reaches
10 majority and any remainder of the portion
11 of the individual’s interest to which sub-
12 paragraph (H)(ii) applies shall be distrib-
13 uted within 10 years after such date.”.

14 (b) EFFECTIVE DATES.—

15 (1) IN GENERAL.—Except as provided in this
16 subsection, the amendments made by this section
17 shall apply to distributions with respect to employees
18 who die after December 31, 2019.

19 (2) COLLECTIVE BARGAINING EXCEPTION.—In
20 the case of a plan maintained pursuant to 1 or more
21 collective bargaining agreements between employee
22 representatives and 1 or more employers ratified be-
23 fore the date of enactment of this Act, the amend-
24 ments made by this section shall apply to distribu-

1 tions with respect to employees who die in calendar
2 years beginning after the earlier of—

3 (A) the later of—

4 (i) the date on which the last of such
5 collective bargaining agreements termi-
6 nates (determined without regard to any
7 extension thereof agreed to on or after the
8 date of the enactment of this Act), or

9 (ii) December 31, 2019, or

10 (B) December 31, 2021.

11 For purposes of subparagraph (A)(i), any plan
12 amendment made pursuant to a collective bargaining
13 agreement relating to the plan which amends the
14 plan solely to conform to any requirement added by
15 this section shall not be treated as a termination of
16 such collective bargaining agreement.

17 (3) GOVERNMENTAL PLANS.—In the case of a
18 governmental plan (as defined in section 414(d) of
19 the Internal Revenue Code of 1986), paragraph (1)
20 shall be applied by substituting “December 31,
21 2021” for “December 31, 2019”.

22 (4) EXCEPTION FOR CERTAIN EXISTING ANNU-
23 ITY CONTRACTS.—

24 (A) IN GENERAL.—The amendments made
25 by this section shall not apply to a qualified an-

1 nuity which is a binding annuity contract in ef-
2 fect on the date of enactment of this Act and
3 at all times thereafter.

4 (B) QUALIFIED ANNUITY.—For purposes
5 of this paragraph, the term “qualified annuity”
6 means, with respect to an employee, an annu-
7 ity—

8 (i) which is a commercial annuity (as
9 defined in section 3405(e)(6) of the Inter-
10 nal Revenue Code of 1986);

11 (ii) under which the annuity payments
12 are made over the life of the employee or
13 over the joint lives of such employee and a
14 designated beneficiary (or over a period
15 not extending beyond the life expectancy of
16 such employee or the joint life expectancy
17 of such employee and a designated bene-
18 ficiary) in accordance with the regulations
19 described in section 401(a)(9)(A)(ii) of
20 such Code (as in effect before such amend-
21 ments) and which meets the other require-
22 ments of section 401(a)(9) of such Code
23 (as so in effect) with respect to such pay-
24 ments; and

25 (iii) with respect to which—

1 (I) annuity payments to the em-
2 ployee have begun before the date of
3 enactment of this Act, and the em-
4 ployee has made an irrevocable elec-
5 tion before such date as to the method
6 and amount of the annuity payments
7 to the employee or any designated
8 beneficiaries; or

9 (II) if subclause (I) does not
10 apply, the employee has made an ir-
11 revocable election before the date of
12 enactment of this Act as to the meth-
13 od and amount of the annuity pay-
14 ments to the employee or any des-
15 ignated beneficiaries.

16 (5) EXCEPTION FOR CERTAIN BENE-
17 FICIARIES.—

18 (A) IN GENERAL.—If an employee dies be-
19 fore the effective date, then, in applying the
20 amendments made by this section to such em-
21 ployee's designated beneficiary who dies after
22 such date—

23 (i) such amendments shall apply to
24 any beneficiary of such designated bene-
25 ficiary; and

1 (ii) the designated beneficiary shall be
2 treated as an eligible designated bene-
3 ficiary for purposes of applying section
4 401(a)(9)(H)(ii) of the Internal Revenue
5 Code of 1986 (as in effect after such
6 amendments).

7 (B) EFFECTIVE DATE.—For purposes of
8 this paragraph, the term “effective date” means
9 the first day of the first calendar year to which
10 the amendments made by this section apply to
11 a plan with respect to employees dying on or
12 after such date.

13 **SEC. 402. INCREASE IN PENALTY FOR FAILURE TO FILE.**

14 (a) IN GENERAL.—The second sentence of subsection
15 (a) of section 6651 of the Internal Revenue Code of 1986
16 is amended by striking “\$330” and inserting “\$435”.

17 (b) INFLATION ADJUSTMENT.—Section 6651(j)(1) of
18 such Code is amended by striking “\$330” and inserting
19 “\$435”.

20 (c) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to returns the due date for which
22 (including extensions) is after December 31, 2019.

1 **SEC. 403. INCREASED PENALTIES FOR FAILURE TO FILE**
2 **RETIREMENT PLAN RETURNS.**

3 (a) **IN GENERAL.**—Subsection (e) of section 6652 of
4 the Internal Revenue Code of 1986 is amended—

5 (1) by striking “\$25” and inserting “\$250”;

6 and

7 (2) by striking “\$15,000” and inserting
8 “\$150,000”.

9 (b) **ANNUAL REGISTRATION STATEMENT AND NOTI-**
10 **FICATION OF CHANGES.**—Subsection (d) of section 6652
11 of the Internal Revenue Code of 1986 is amended—

12 (1) by striking “\$1” both places it appears in
13 paragraphs (1) and (2) and inserting “\$10”;

14 (2) by striking “\$5,000” in paragraph (1) and
15 inserting “\$50,000”; and

16 (3) by striking “\$1,000” in paragraph (2) and
17 inserting “\$10,000”.

18 (c) **FAILURE TO PROVIDE NOTICE.**—Subsection (h)
19 of section 6652 of the Internal Revenue Code of 1986 is
20 amended—

21 (1) by striking “\$10” and inserting “\$100”;

22 and

23 (2) by striking “\$5,000” and inserting
24 “\$50,000”.

25 (d) **EFFECTIVE DATE.**—The amendments made by
26 this section shall apply to returns, statements, and notifi-

1 cations required to be filed, and notices required to be pro-
2 vided, after December 31, 2019.

3 **SEC. 404. INCREASE INFORMATION SHARING TO ADMIN-**
4 **ISTER EXCISE TAXES.**

5 (a) IN GENERAL.—Section 6103(o) of the Internal
6 Revenue Code of 1986 is amended by adding at the end
7 the following new paragraph:

8 “(3) TAXES IMPOSED BY SECTION 4481.—Re-
9 turns and return information with respect to taxes
10 imposed by section 4481 shall be open to inspection
11 by or disclosure to officers and employees of United
12 States Customs and Border Protection of the De-
13 partment of Homeland Security whose official duties
14 require such inspection or disclosure for purposes of
15 administering such section.”.

16 (b) CONFORMING AMENDMENTS.—Paragraph (4) of
17 section 6103(p) of the Internal Revenue Code of 1986 is
18 amended by striking “or (o)(1)(A)” each place it appears
19 and inserting “, (o)(1)(A), or (o)(3)”.

1 **TITLE V—TAX RELIEF FOR**
2 **CERTAIN CHILDREN**

3 **SEC. 501. MODIFICATION OF RULES RELATING TO THE TAX-**
4 **ATION OF UNEARNED INCOME OF CERTAIN**
5 **CHILDREN.**

6 (a) **IN GENERAL.**—Section 1(j) of the Internal Rev-
7 enue Code of 1986 is amended by striking paragraph (4).

8 (b) **COORDINATION WITH ALTERNATIVE MINIMUM**
9 **TAX.**—Section 55(d)(4)(A) of the Internal Revenue Code
10 of 1986 is amended by striking “and” at the end of clause
11 (i)(II), by striking the period at the end of clause (ii)(III)
12 and inserting “, and”, and by adding at the end the fol-
13 lowing new clause:

14 “(iii) subsection (j) of section 59 shall
15 not apply.”.

16 (c) **EFFECTIVE DATE.**—

17 (1) **IN GENERAL.**—Except as otherwise pro-
18 vided in this subsection, the amendment made by
19 subsection (a) shall apply to taxable years beginning
20 after December 31, 2019.

21 (2) **COORDINATION WITH ALTERNATIVE MIN-**
22 **IMUM TAX.**—The amendment made by subsection
23 (b) shall apply to taxable years beginning after De-
24 cember 31, 2017.

1 (3) **ELECTIVE RETROACTIVE APPLICATION.**—A
2 taxpayer may elect (at such time and in such man-
3 ner as the Secretary of the Treasury (or the Sec-
4 retary’s designee) may provide) for the amendment
5 made by subsection (a) to also apply to taxable years
6 of the taxpayer which begin in 2018, 2019, or both
7 (as specified by the taxpayer in such election).

8 **TITLE VI—ADMINISTRATIVE**
9 **PROVISIONS**

10 **SEC. 601. PROVISIONS RELATING TO PLAN AMENDMENTS.**

11 (a) **IN GENERAL.**—If this section applies to any re-
12 tirement plan or contract amendment—

13 (1) such retirement plan or contract shall be
14 treated as being operated in accordance with the
15 terms of the plan during the period described in sub-
16 section (b)(2)(A); and

17 (2) except as provided by the Secretary of the
18 Treasury (or the Secretary’s delegate), such retire-
19 ment plan shall not fail to meet the requirements of
20 section 411(d)(6) of the Internal Revenue Code of
21 1986 and section 204(g) of the Employee Retire-
22 ment Income Security Act of 1974 by reason of such
23 amendment.

24 (b) **AMENDMENTS TO WHICH SECTION APPLIES.**—

1 (1) IN GENERAL.—This section shall apply to
2 any amendment to any retirement plan or annuity
3 contract which is made—

4 (A) pursuant to any amendment made by
5 this Act or pursuant to any regulation issued by
6 the Secretary of the Treasury or the Secretary
7 of Labor (or a delegate of either such Sec-
8 retary) under this Act; and

9 (B) on or before the last day of the first
10 plan year beginning on or after January 1,
11 2022, or such later date as the Secretary of the
12 Treasury may prescribe.

13 In the case of a governmental plan (as defined in
14 section 414(d) of the Internal Revenue Code of
15 1986), or an applicable collectively bargained plan in
16 the case of section 401 (and the amendments made
17 thereby), this paragraph shall be applied by sub-
18 stituting “2024” for “2022”. For purposes of the
19 preceding sentence, the term “applicable collectively
20 bargained plan” means a plan maintained pursuant
21 to 1 or more collective bargaining agreements be-
22 tween employee representatives and 1 or more em-
23 ployers ratified before the date of enactment of this
24 Act.

1 (2) CONDITIONS.—This section shall not apply
2 to any amendment unless—

3 (A) during the period—

4 (i) beginning on the date the legisla-
5 tive or regulatory amendment described in
6 paragraph (1)(A) takes effect (or in the
7 case of a plan or contract amendment not
8 required by such legislative or regulatory
9 amendment, the effective date specified by
10 the plan); and

11 (ii) ending on the date described in
12 paragraph (1)(B) (as modified by the sec-
13 ond sentence of paragraph (1)) (or, if ear-
14 lier, the date the plan or contract amend-
15 ment is adopted),

16 the plan or contract is operated as if such plan
17 or contract amendment were in effect; and

18 (B) such plan or contract amendment ap-
19 plies retroactively for such period.

1 **DIVISION P—OTHER MATTER**
2 **TITLE I—PLATTE RIVER RECOV-**
3 **ERY IMPLEMENTATION PRO-**
4 **GRAM**

5 **SEC. 101. SHORT TITLE.**

6 This title may be cited as the “Temporary Relief
7 from Certain ERISA Requirements Act of 2020”.

8 **SEC. 102. PURPOSE.**

9 The purpose of this Act is to authorize the Secretary
10 of the Interior, acting through the Commissioner of Rec-
11 lamation and in partnership with the States, other Federal
12 agencies, and other non-Federal entities, to continue the
13 cooperative effort among the Federal and non-Federal en-
14 tities through the continued implementation of the Platte
15 River Recovery Implementation Program First Increment
16 Extension for threatened and endangered species in the
17 Central and Lower Platte River Basin without creating
18 Federal water rights or requiring the grant of water rights
19 to Federal entities.

20 **SEC. 103. DEFINITIONS.**

21 In this Act:

22 (1) **AGREEMENT.**—The term “Agreement”
23 means the Platte River Recovery Implementation
24 Program Cooperative Agreement entered into by the
25 Governors of the States and the Secretary, including

1 an amendment or addendum to the Agreement to ex-
2 tend the Program.

3 (2) FIRST INCREMENT.—The term “First In-
4 crement” means the Program’s first 13 years from
5 January 1, 2007 through December 31, 2019.

6 (3) FIRST INCREMENT EXTENSION.—The term
7 “First Increment Extension” means the extension of
8 the Program for 13 years from January 1, 2020
9 through December 31, 2032.

10 (4) GOVERNANCE COMMITTEE.—The term
11 “Governance Committee” means the governance
12 committee established under the Agreement and
13 composed of members from the States, the Federal
14 Government, environmental interests, and water
15 users.

16 (5) INTEREST IN LAND OR WATER.—The term
17 “interest in land or water” includes fee title, short-
18 or long-term easement, lease, or other contractual
19 arrangement that is determined to be necessary by
20 the Secretary to implement the land and water com-
21 ponents of the Program.

22 (6) PROGRAM.—The term “Program” means
23 the Platte River Recovery Implementation Program
24 established under the Agreement and continued

1 under an amendment or addendum to the Agree-
2 ment.

3 (7) PROJECT OR ACTIVITY.—The term “project
4 or activity” means—

5 (A) the planning, design, permitting, or
6 other compliance activity, construction, con-
7 struction management, operation, maintenance,
8 and replacement of a facility;

9 (B) the acquisition of an interest in land
10 or water;

11 (C) habitat restoration;

12 (D) research and monitoring;

13 (E) program administration; and

14 (F) any other activity that is determined to
15 be necessary by the Secretary to carry out the
16 Program.

17 (8) SECRETARY.—The term “Secretary” means
18 the Secretary of the Interior, acting through the
19 Commissioner of Reclamation.

20 (9) STATES.—The term “States” means the
21 States of Colorado, Nebraska, and Wyoming.

22 **SEC. 104. PLATTE RIVER RECOVERY IMPLEMENTATION**
23 **PROGRAM.**

24 (a) IMPLEMENTATION OF PROGRAM.—

1 (1) IN GENERAL.—The Secretary, in coopera-
2 tion with the Governance Committee, may—

3 (A) participate in the Program; and

4 (B) carry out any projects and activities
5 that are designated for implementation during
6 the First Increment Extension.

7 (2) AUTHORITY OF THE SECRETARY.—For the
8 purposes of carrying out this section, the Secretary,
9 in cooperation with the Governance Committee,
10 may—

11 (A) enter into agreements and contracts
12 with Federal and non-Federal entities;

13 (B) acquire interests in land, water, and
14 facilities from willing sellers without the use of
15 eminent domain;

16 (C) subsequently transfer any interests ac-
17 quired under subparagraph (B); and

18 (D) accept or provide grants.

19 (b) COST-SHARING CONTRIBUTIONS.—

20 (1) IN GENERAL.—As provided in the Agree-
21 ment, the States shall contribute not less than 50
22 percent of the total contributions necessary to carry
23 out the Program.

1 (2) NON-FEDERAL CONTRIBUTIONS.—The fol-
2 lowing contributions shall constitute the States’
3 share of the Program:

4 (A) An additional \$28,000,000 in non-Fed-
5 eral funds, with the balance of funds remaining
6 to be contributed to be adjusted for inflation on
7 October 1 of the year after the date of enact-
8 ment of this Act and each October 1 thereafter.

9 (B) Additional credit for contributions of
10 water or land for the purposes of implementing
11 the Program, as determined to be appropriate
12 by the Secretary.

13 (3) IN-KIND CONTRIBUTIONS.—The Secretary
14 or the States may elect to provide a portion of the
15 Federal share or non-Federal share, respectively, in
16 the form of in-kind goods or services, if the contribu-
17 tion of goods or services is approved by the Govern-
18 ance Committee, as provided in Attachment 1 of the
19 Agreement.

20 (c) AUTHORITY TO MODIFY PROGRAM.—The Pro-
21 gram may be modified or amended before the completion
22 of the First Increment Extension if the Secretary and the
23 States determine that the modifications are consistent
24 with the purposes of the Program.

25 (d) EFFECT.—

1 (1) EFFECT ON RECLAMATION LAWS.—No ac-
2 tion carried out under this section shall, with respect
3 to the acreage limitation provisions of the reclama-
4 tion laws—

5 (A) be considered in determining whether
6 a district (as the term is defined in section 202
7 of the Reclamation Reform Act of 1982 (43
8 U.S.C. 390bb)) has discharged the obligation of
9 the district to repay the construction cost of
10 project facilities used to make irrigation water
11 available for delivery to land in the district;

12 (B) serve as the basis for reinstating acre-
13 age limitation provisions in a district that has
14 completed payment of the construction obliga-
15 tions of the district; or

16 (C) serve as the basis for increasing the
17 construction repayment obligation of the dis-
18 trict, which would extend the period during
19 which the acreage limitation provisions would
20 apply.

21 (2) EFFECT ON WATER RIGHTS.—Nothing in
22 this section—

23 (A) creates Federal water rights; or

24 (B) requires the grant of water rights to
25 Federal entities.

1 (e) AUTHORIZATION OF APPROPRIATIONS.—

2 (1) IN GENERAL.—There is authorized to be
3 appropriated to carry out projects and activities
4 under this section an additional \$78,000,000 as ad-
5 justed under paragraph (3).

6 (2) NONREIMBURSABLE FEDERAL EXPENDI-
7 TURES.—Any amounts to be expended under para-
8 graph (1) shall be considered nonreimbursable Fed-
9 eral expenditures.

10 (3) ADJUSTMENT.—The balance of funds re-
11 maining to be expended shall be adjusted for infla-
12 tion on October 1 of the year after the date of enact-
13 ment of this Act and each October 1 thereafter.

14 (4) AVAILABILITY OF FUNDS.—At the end of
15 each fiscal year, any unexpended funds for projects
16 and activities made available under paragraph (1)
17 shall be retained for use in future fiscal years to im-
18 plement projects and activities under the Program.
19 Any unexpended funds appropriated during the
20 First Increment shall be retained and carried over
21 from the First Increment into the First Increment
22 Extension.

23 (f) TERMINATION OF AUTHORITY.—The authority
24 for the Secretary to implement the First Increment Exten-
25 sion shall terminate on September 30, 2033.

1 **TITLE II—GREAT LAKES**

2 **SEC. 201. GREAT LAKES MONITORING, ASSESSMENT,**
3 **SCIENCE, AND RESEARCH.**

4 (a) DEFINITIONS.—In this section:

5 (1) DIRECTOR.—The term “Director” means
6 the Director of the United States Geological Survey.

7 (2) GREAT LAKES BASIN.—The term “Great
8 Lakes Basin” means the air, land, water, and living
9 organisms in the United States within the drainage
10 basin of the Saint Lawrence River at and upstream
11 from the point at which such river and the Great
12 Lakes become the international boundary between
13 Canada and the United States.

14 (b) FINDINGS.—Congress finds the following:

15 (1) The Great Lakes support a diverse eco-
16 system, on which the vibrant and economically valu-
17 able Great Lakes fisheries depend.

18 (2) To continue successful fisheries manage-
19 ment and coordination, as has occurred since signing
20 of the Convention on Great Lakes Fisheries between
21 the United States and Canada on September 10,
22 1954, management of the ecosystem and its fisheries
23 require sound, reliable science, and the use of mod-
24 ern scientific technologies.

1 (3) Fisheries research is necessary to support
2 multi-jurisdictional fishery management decisions
3 and actions regarding recreational and sport fishing,
4 commercial fisheries, tribal harvest, allocation deci-
5 sions, and fish stocking activities.

6 (4) President Richard Nixon submitted, and the
7 Congress approved, Reorganization Plan No. 4 (84
8 Stat. 2090), conferring science activities and man-
9 agement of marine fisheries to the National Oceanic
10 and Atmospheric Administration.

11 (5) Reorganization Plan No. 4 expressly ex-
12 cluded fishery research activities within the Great
13 Lakes from the transfer, retaining management and
14 scientific research duties within the already-estab-
15 lished jurisdictions under the 1954 Convention on
16 Great Lakes Fisheries, including those of the Great
17 Lakes Fishery Commission and the Department of
18 the Interior.

19 (c) MONITORING, ASSESSMENT, SCIENCE, AND RE-
20 SEARCH.—

21 (1) IN GENERAL.—The Director may conduct
22 monitoring, assessment, science, and research, in
23 support of the binational fisheries within the Great
24 Lakes Basin.

1 (2) SPECIFIC AUTHORITIES.—The Director
2 shall, under paragraph (1)—

3 (A) execute a comprehensive, multi-lake,
4 freshwater fisheries science program;

5 (B) coordinate with and work cooperatively
6 with regional, State, tribal, and local govern-
7 ments; and

8 (C) consult with other interested entities
9 groups, including academia and relevant Cana-
10 dian agencies.

11 (3) INCLUDED RESEARCH.—To properly serve
12 the needs of fisheries managers, monitoring, assess-
13 ment, science, and research under this section may
14 include—

15 (A) deepwater ecosystem sciences;

16 (B) biological and food-web components;

17 (C) fish movement and behavior investiga-
18 tions;

19 (D) fish population structures;

20 (E) fish habitat investigations;

21 (F) invasive species science;

22 (G) use of existing, new, and experimental
23 biological assessment tools, equipment, vessels,
24 other scientific instrumentation and laboratory

1 capabilities necessary to support fishery man-
2 agement decisions; and

3 (H) studies to assess impacts on Great
4 Lakes Fishery resources.

5 (4) SAVINGS CLAUSE.—Nothing in this section
6 is intended or shall be construed to impede, super-
7 sede, or alter the authority of the Great Lakes Fish-
8 ery Commission, States, and Indian tribes under the
9 Convention on Great Lakes Fisheries between the
10 United States of America and Canada on September
11 10, 1954, and the Great Lakes Fishery Act of 1956
12 (16 U.S.C. 931 et seq.).

13 (d) AUTHORIZATION OF APPROPRIATIONS.—For
14 each of fiscal years 2021 through 2025, there is author-
15 ized to be appropriated \$15,000,000 to carry out this sec-
16 tion.

17 **TITLE III—MORRIS K. UDALL**
18 **AND STEWART L. UDALL**
19 **FOUNDATION**

20 **SEC. 301. FINDINGS.**

21 Congress finds the following:

22 (1) Since 1999, the Morris K. Udall and Stew-
23 art L. Udall Foundation (referred to in this Act as
24 the “Foundation”) has operated the Parks in Focus
25 program to provide opportunities for the youth of

1 the United States to learn about and experience the
2 Nation's parks and wilderness, and other outdoor
3 areas.

4 (2) Since 2001, the Foundation has conducted
5 research and provided education and training to Na-
6 tive American and Alaska Native professionals and
7 leaders on Native American and Alaska Native
8 health care issues and tribal public policy through
9 the Native Nations Institute for Leadership, Man-
10 agement, and Policy.

11 (3) The Foundation is committed to continuing
12 to make a substantial contribution toward public
13 policy in the future by—

14 (A) playing a significant role in developing
15 the next generation of environmental, public
16 health, public lands, natural resource, and Na-
17 tive American leaders; and

18 (B) working with current leaders to im-
19 prove collaboration and decision-making on
20 challenging environmental, energy, public
21 health, and related economic problems and trib-
22 al governance and economic development issues.

1 **SEC. 302. DEFINITIONS.**

2 (a) IN GENERAL.—Section 4 of the Morris K. Udall
3 and Stewart L. Udall Foundation Act (20 U.S.C. 5602)
4 is amended—

5 (1) in paragraph (2), by striking “the Udall
6 Center for Studies in Public Policy established at
7 the University of Arizona in 1987” and inserting
8 “the Udall Center for Studies in Public Policy estab-
9 lished in 1987 at the University of Arizona, and in-
10 cludes the Native Nations Institute”;

11 (2) by striking paragraph (6);

12 (3) by redesignating paragraphs (3) through
13 (5), (8), and (9) as paragraphs (4) through (6),
14 (11), and (12), respectively;

15 (4) by inserting after paragraph (2) the fol-
16 lowing:

17 “(3) the term ‘collaboration’ means to work in
18 partnership with other entities for the purpose of—

19 “(A) resolving disputes;

20 “(B) addressing issues that may cause or
21 result in disputes; or

22 “(C) streamlining and enhancing Federal,
23 State, or tribal environmental and natural re-
24 source decision-making processes or procedures
25 that may result in a dispute or conflict;”;

1 (5) in paragraph (7), by striking “section
2 1201(a)” and inserting “section 101(a)”;

3 (6) by inserting after paragraph (7) the fol-
4 lowing:

5 “(8) the term ‘National Center’ means the
6 John S. McCain III National Center for Environ-
7 mental Conflict Resolution established pursuant to
8 section 7(a)(1)(B);” and

9 (7) by inserting after paragraph (8), as added
10 by paragraph (6), the following:

11 “(9) the term ‘Nation’s parks and wilderness’
12 means units of the National Park System and com-
13 ponents of the National Wilderness Preservation
14 System;

15 “(10) the term ‘Native Nations Institute’
16 means the Native Nations Institute for Leadership,
17 Management, and Policy established at the Univer-
18 sity of Arizona in 2001;”.

19 (b) CONFORMING AMENDMENT.—Section 3(5)(B) of
20 the Morris K. Udall and Stewart L. Udall Foundation Act
21 (20 U.S.C. 5601(5)(B)) is amended by striking “the
22 United States Institute for Environmental Conflict Reso-
23 lution” and inserting “the National Center (previously
24 known as the United States Institute for Environmental
25 Conflict Resolution)”.

1 (c) REFERENCES TO UNITED STATES INSTITUTE
2 FOR ENVIRONMENTAL CONFLICT RESOLUTION.—Any ref-
3 erence to the United States Institute for Environmental
4 Conflict Resolution in any Federal law, Executive Order,
5 rule, delegation of authority, or document shall be con-
6 strued to refer to the John S. McCain III National Center
7 for Environmental Conflict Resolution established under
8 section 7(a)(1)(B) of the Morris K. Udall and Stewart L.
9 Udall Foundation Act (20 U.S.C. 5605(a)(1)(B)).

10 **SEC. 303. ESTABLISHMENT OF MORRIS K. UDALL AND**
11 **STEWART L. UDALL FOUNDATION.**

12 Section 5(e) of the Morris K. Udall and Stewart L.
13 Udall Foundation Act (20 U.S.C. 5603(e)) is amended by
14 striking “Arizona.” and inserting “Arizona and the Dis-
15 trict of Columbia.”.

16 **SEC. 304. PURPOSE OF THE FOUNDATION.**

17 Section 6 of the Morris K. Udall and Stewart L.
18 Udall Foundation Act (20 U.S.C. 5604) is amended—

19 (1) in paragraph (4), by striking “establish a
20 Program for Environmental Policy Research and
21 Environmental Conflict Resolution and Training at
22 the Center” and inserting “establish a program for
23 environmental policy research at the Center and a
24 program for environmental conflict resolution and
25 training at the National Center”;

1 (2) in paragraph (5), by inserting “, natural re-
2 source, conflict resolution,” after “environmental”;

3 (3) in paragraph (7)—

4 (A) by inserting “at the Native Nations In-
5 stitute” after “develop resources”; and

6 (B) by inserting “providing education to
7 and” after “policy, by”; and

8 (4) in paragraph (8)—

9 (A) by striking “United States Institute
10 for Environmental Conflict Resolution” and in-
11 serting “John S. McCain III National Center
12 for Environmental Conflict Resolution”; and

13 (B) by striking “resolve environmental”
14 and inserting “resolve environmental issues,
15 conflicts, and”.

16 **SEC. 305. AUTHORITY OF THE FOUNDATION.**

17 Section 7 of the Morris K. Udall and Stewart L.
18 Udall Foundation Act (20 U.S.C. 5605) is amended—

19 (1) in subsection (a)—

20 (A) in paragraph (1)—

21 (i) by striking subparagraphs (A)
22 through (C) and inserting the following:

23 “(A) GENERAL PROGRAMMING AUTHOR-
24 ITY.—The Foundation is authorized to identify
25 and conduct, directly or by contract, such pro-

1 grams, activities, and services as the Founda-
2 tion considers appropriate to carry out the pur-
3 poses described in section 6, which may in-
4 clude—

5 “(i) awarding scholarships, fellow-
6 ships, internships, and grants, by national
7 competition, to eligible individuals, as de-
8 termined by the Foundation and in accord-
9 ance with paragraphs (2), (3), and (4), for
10 study in fields related to the environment
11 or Native American and Alaska Native
12 health care and tribal policy;

13 “(ii) funding the Center to carry out
14 and manage other programs, activities, and
15 services; and

16 “(iii) other education programs that
17 the Board determines are consistent with
18 the purposes for which the Foundation is
19 established.”;

20 (ii) by redesignating subparagraph
21 (D) as subparagraph (B); and

22 (iii) in subparagraph (B), as redesi-
23 gnated—

24 (I) in the subparagraph heading,
25 by striking “INSTITUTE FOR ENVI-

1 RONMENTAL CONFLICT RESOLUTION”
2 and inserting “JOHN S. MCCAIN III
3 NATIONAL CENTER FOR ENVIRON-
4 MENTAL CONFLICT RESOLUTION”;

5 (II) in clause (i)—

6 (aa) in subclause (I), by
7 striking “United States Institute
8 for Environmental Conflict Reso-
9 lution” and inserting “John S.
10 McCain III National Center for
11 Environmental Conflict Resolu-
12 tion”; and

13 (bb) in subclause (II)—

14 (AA) by inserting “col-
15 laboration,” after “medi-
16 ation,”; and

17 (BB) by striking “to
18 resolve environmental dis-
19 putes.” and inserting the
20 following: “to resolve—

21 “(aa) environmental dis-
22 putes; and

23 “(bb) Federal, State, or
24 tribal environmental or natural
25 resource decision-making proc-

1 esses or procedures that may re-
2 sult in a dispute or conflict that
3 may cause or result in disputes.”;
4 and

5 (III) in clause (ii), by inserting
6 “collaboration,” after “mediation,”;

7 (B) by striking paragraph (5);

8 (C) by redesignating paragraphs (6) and
9 (7) as paragraphs (7) and (8), respectively;

10 (D) by inserting after paragraph (4) the
11 following:

12 “(5) PARKS IN FOCUS.—The Foundation
13 shall—

14 “(A) identify and invite the participation
15 of youth throughout the United States to enjoy
16 the Nation’s parks and wilderness and other
17 outdoor areas, in an education program in-
18 tended to carry out the purpose of paragraphs
19 (1) and (2) of section 6; and

20 “(B) provide training and education pro-
21 grams and activities to teach Federal employ-
22 ees, natural resource professionals, elementary
23 and secondary school educators, and others to
24 work with youth to promote the use and enjoy-

1 ment of the Nation’s parks and wilderness and
2 other outdoor areas.

3 “(6) SPECIFIC PROGRAMS.—The Foundation
4 shall assist in the development and implementation
5 of programs at the Center—

6 “(A) to provide for an annual meeting of
7 experts to discuss contemporary environmental
8 issues;

9 “(B) to conduct environmental policy re-
10 search; and

11 “(C) to promote dialogue with visiting pol-
12 icymakers on environmental, natural resource,
13 and public lands issues.”;

14 (E) in paragraph (7), as redesignated by
15 subparagraph (C), by striking “Morris K.
16 Udall’s papers” and inserting “the papers of
17 Morris K. Udall and Stewart L. Udall”; and

18 (F) by adding at the end the following:

19 “(9) NATIVE NATIONS INSTITUTE.—The Foun-
20 dation shall provide direct or indirect assistance to
21 the Native Nations Institute from the annual appro-
22 priations to the Trust Fund in such amounts as
23 Congress may direct to conduct research and provide
24 education and training to Native American and
25 Alaska Native professionals and leaders on Native

1 American and Alaska Native health care issues and
2 tribal public policy issues as provided in section
3 6(7).”;

4 (2) by striking subsection (c) and inserting the
5 following:

6 “(c) PROGRAM PRIORITIES.—

7 “(1) IN GENERAL.—The Foundation shall de-
8 termine the priority of the programs to be carried
9 out under this Act and the amount of funds to be
10 allocated for such programs from the funds earned
11 annually from the interest derived from the invest-
12 ment of the Trust Fund, subject to paragraph (2).

13 “(2) LIMITATIONS.—In determining the amount
14 of funds to be allocated for programs carried out
15 under this Act for a year—

16 “(A) not less than 50 percent of such an-
17 nual interest earnings shall be utilized for the
18 programs set forth in paragraphs (2), (3), (4),
19 and (5) of subsection (a);

20 “(B) not more than 17.5 percent of such
21 annual interest earnings shall be allocated for
22 salaries and other administrative purposes; and

23 “(C) not less than 20 percent of such an-
24 nual interest earnings shall be appropriated to

1 the Center for activities under paragraphs (7)
2 and (8) of subsection (a).”; and

3 (3) by adding at the end the following:

4 “(d) DONATIONS.—Any funds received by the Foun-
5 dation in the form of donations or grants, as well as any
6 unexpended earnings on interest from the Trust Fund
7 that is carried forward from prior years—

8 “(1) shall not be included in the calculation of
9 the funds available for allocations pursuant to sub-
10 section (c); and

11 “(2) shall be available to carry out the provi-
12 sions of this Act as the Board determines to be nec-
13 essary and appropriate.”.

14 **SEC. 306. ENVIRONMENTAL DISPUTE RESOLUTION FUND.**

15 Section 10(b) of the Morris K. Udall and Stewart L.
16 Udall Foundation Act (20 U.S.C. 5607a(b)) is amended
17 by striking “Institute” and inserting “National Center”.

18 **SEC. 307. USE OF THE NATIONAL CENTER BY A FEDERAL**

19 **AGENCY OR OTHER ENTITY.**

20 Section 11 of the Morris K. Udall and Stewart L.
21 Udall Foundation Act (20 U.S.C. 5607b) is amended—

22 (1) in the section heading, by striking “**THE**
23 **INSTITUTE**” and inserting “**THE NATIONAL CEN-**
24 **TER**”;

25 (2) in subsection (a)—

1 (A) by striking “Institute” and inserting
2 “National Center”;

3 (B) by inserting “collaboration,” after
4 “mediation,”; and

5 (C) by striking “resources.” and inserting
6 “resources, or with a Federal, State, or tribal
7 process or procedure that may result in a dis-
8 pute or conflict.”;

9 (3) in subsection (b)(1), by striking “Institute”
10 and inserting “National Center”;

11 (4) in subsection (c)—

12 (A) in paragraph (1), by striking “Insti-
13 tute” and inserting “National Center”;

14 (B) in paragraph (2)(C), by inserting “me-
15 diation, collaboration, and” after “agree to”;
16 and

17 (C) in paragraph (3)(A), by striking “In-
18 stitute” and inserting “National Center”;

19 (5) in each of paragraphs (1)(A) and (2) of
20 subsection (d), by striking “Institute” and inserting
21 “National Center”;

22 (6) in each of paragraphs (1) and (2) of sub-
23 section (e), by striking “Institute” and inserting
24 “National Center”; and

1 (7) in subsection (f), by striking “Institute”
2 and inserting “National Center”.

3 **SEC. 308. ADMINISTRATIVE PROVISIONS.**

4 Section 12 of the Morris K. Udall and Stewart L.
5 Udall Foundation Act (20 U.S.C. 5608) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (4), by striking “accept,
8 hold, administer, and utilize gifts” and insert-
9 ing “accept, hold, solicit, administer, and utilize
10 donations, grants, and gifts”; and

11 (B) in paragraph (7), by striking “in the
12 District of Columbia or its environs” and in-
13 serting “in the District of Columbia and Tuc-
14 son, Arizona, or their environs”; and

15 (2) in subsection (b), by striking “, with the ex-
16 ception of paragraph (4), apply to the Institute” and
17 inserting “apply to the National Center”.

18 **SEC. 309. AUTHORIZATION OF APPROPRIATIONS.**

19 Section 13 of the Morris K. Udall and Stewart L.
20 Udall Foundation Act (20 U.S.C. 5609) is amended—

21 (1) in subsection (a), by striking
22 “\$40,000,000” and inserting “\$2,000,000 for each
23 of fiscal years 2020 through 2023”; and

1 (2) in subsection (b), by striking “fiscal years
2 2004 through 2008” and inserting “fiscal years
3 2020 through 2023”.

4 **SEC. 310. AUDIT OF THE FOUNDATION.**

5 Not later than 2 years after the date of enactment
6 of this Act, the Inspector General of the Department of
7 the Interior shall conduct an audit of the Morris K. Udall
8 and Stewart L. Udall Foundation.

9 **TITLE IV—WHITE HORSE HILL**
10 **NATIONAL GAME PRESERVE**

11 **SEC. 401. SHORT TITLE.**

12 This title may be cited as the “White Horse Hill Na-
13 tional Game Preserve Designation Act”.

14 **SEC. 402. DESIGNATION OF WHITE HORSE HILL NATIONAL**
15 **GAME PRESERVE, NORTH DAKOTA.**

16 (a) REDESIGNATION.—The first section of the Act of
17 March 3, 1931 (46 Stat. 1509, chapter 439; 16 U.S.C.
18 674a), is amended by striking “Sullys Hill National Game
19 Preserve” and inserting “White Horse Hill National Game
20 Preserve”.

21 (b) CONFORMING AMENDMENT.—Section 2 of the
22 Act of March 3, 1931 (46 Stat. 1509, chapter 439; 16
23 U.S.C. 674b), is amended by striking “Sullys Hill Na-
24 tional Game Preserve” and inserting “White Horse Hill
25 National Game Preserve”.

1 (c) REFERENCES.—Any reference in a law, map, reg-
2 ulation, document, paper, or other record of the United
3 States to the Sullys Hill National Game Preserve shall be
4 considered to be a reference to the “White Horse Hill Na-
5 tional Game Preserve”.

6 **TITLE V—PITTMAN-ROBERTSON**
7 **FUND**

8 **SEC. 501. MODERNIZING THE PITTMAN-ROBERTSON FUND**
9 **FOR TOMORROW’S NEEDS.**

10 (a) SHORT TITLE.—This title may be cited as the
11 “Modernizing the Pittman-Robertson Fund for Tomor-
12 row’s Needs Act”.

13 (b) PURPOSE.—The first section of the Pittman-Rob-
14 ertson Wildlife Restoration Act (16 U.S.C. 669) is amend-
15 ed by adding at the end the following: “One of the pur-
16 poses of this Act is to provide financial and technical as-
17 sistance to the States for the promotion of hunting and
18 recreational shooting.”.

19 (c) DEFINITIONS.—Section 2 of the Pittman-Robert-
20 son Wildlife Restoration Act (16 U.S.C. 669a) is amend-
21 ed—

22 (1) by redesignating paragraphs (2) through
23 (9) as paragraphs (4) through (11), respectively;
24 and

1 (2) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) for the purposes of determining the num-
4 ber of paid hunting-license holders in a State, the
5 term ‘fiscal year’ means the fiscal year or license
6 year of the State;

7 “(3) the term ‘hunter recruitment and rec-
8 reational shooter recruitment’ means any activity or
9 project to recruit or retain hunters and recreational
10 shooters, including by—

11 “(A) outreach and communications as a
12 means—

13 “(i) to improve communications with
14 hunters, recreational shooters, and the
15 general public with respect to hunting and
16 recreational shooting opportunities;

17 “(ii) to reduce barriers to participa-
18 tion in these activities;

19 “(iii) to advance the adoption of
20 sound hunting and recreational shooting
21 practices;

22 “(iv) to promote conservation and the
23 responsible use of the wildlife resources of
24 the United States; and

1 “(v) to further safety in hunting and
2 recreational shooting;

3 “(B) providing education, mentoring, and
4 field demonstrations;

5 “(C) enhancing access for hunting and rec-
6 reational shooting, including through range con-
7 struction; and

8 “(D) providing education to the public
9 about the role of hunting and recreational
10 shooting in funding wildlife conservation;”.

11 (d) APPORTIONMENT OF AVAILABLE AMOUNTS.—

12 (1) APPORTIONMENT OF CERTAIN TAXES.—The
13 first subsection (c) of section 4 of the Pittman-Rob-
14 ertson Wildlife Restoration Act (16 U.S.C. 669c) is
15 amended—

16 (A) by inserting “APPORTIONMENT OF
17 REVENUES FROM PISTOLS, REVOLVERS, BOWS,
18 AND ARROWS.—” after the enumerator;

19 (B) by striking “One-half” and inserting
20 the following:

21 “(1) IN GENERAL.—Subject to paragraph (2),
22 ¹/₂”;

23 (C) by striking “: *Provided*, That” and in-
24 serting a period;

1 (D) by striking “each State shall be appor-
2 tioned not more than 3 per centum and not less
3 than 1 per centum of such revenues” and in-
4 serting the following:

5 “(2) CONDITION.—The amount apportioned to
6 each State under paragraph (1) shall be not greater
7 than 3 percent and not less than 1 percent of the
8 revenues described in such paragraph”;

9 (E) by striking “For the purpose” and in-
10 serting the following:

11 “(3) POPULATION DETERMINATION.—For the
12 purpose”; and

13 (F) by adding at the end the following:

14 “(4) USE OF FUNDS.—In addition to other uses
15 authorized under this Act, amounts apportioned
16 under this subsection may be used for hunter re-
17 cruitment and recreational shooter recruitment.”.

18 (2) TECHNICAL CORRECTION.—Section 4 of the
19 Pittman-Robertson Wildlife Restoration Act (16
20 U.S.C. 669e) is amended—

21 (A) by redesignating the second subsection
22 (c) and subsection (d) as subsections (d) and
23 (e), respectively; and

1 (B) by striking “subsection (c)” in the re-
2 designated section 4(e)(3) and replacing it with
3 “subsection (d), as redesignated”.

4 (e) EXPENDITURES FOR MANAGEMENT OF WILDLIFE
5 AREAS AND RESOURCES.—Section 8 of the Pittman-Rob-
6 ertson Wildlife Restoration Act (16 U.S.C. 669g) is
7 amended—

8 (1) in subsection (a), in the third sentence, by
9 striking “and public relations”; and

10 (2) in subsection (b), in the first sentence, by
11 striking “, as a part of such program”.

12 (f) FIREARM AND BOW HUNTER EDUCATION AND
13 SAFETY PROGRAM GRANTS.—Section 10(a)(1)(A) of the
14 Pittman-Robertson Wildlife Restoration Act (16 U.S.C.
15 669h–1(a)(1)(A)) is amended—

16 (1) in clause (iii), by striking “and” at the end;
17 and

18 (2) by adding at the end the following:

19 “(v) the enhancement of hunter re-
20 cruitment and recreational shooter recruit-
21 ment; and”.

22 (g) MULTISTATE CONSERVATION GRANT PRO-
23 GRAM.—

1 (1) IN GENERAL.—Section 11 of the Pittman-
2 Robertson Wildlife Restoration Act (16 U.S.C.
3 669h–2) is amended—

4 (A) in subsection (a)(1)—

5 (i) by striking “Not more than” and
6 inserting the following:

7 “(A) IN GENERAL.—Not more than”; and

8 (ii) by adding at the end the fol-
9 lowing:

10 “(B) AVAILABILITY FOR HUNTER AND
11 RECREATIONAL SHOOTER GRANTS.—Not more
12 than \$5,000,000 of the revenues covered into
13 the fund from any tax imposed under section
14 4161(b) of the Internal Revenue Code of 1986
15 for a fiscal year shall be available to the Sec-
16 retary exclusively for making hunter recruit-
17 ment and recreational shooter recruitment
18 grants that promote a national hunting and
19 shooting sport recruitment program, including
20 related communication and outreach activi-
21 ties.”;

22 (B) in the matter preceding subsection
23 (b)(3)(A), by striking “International”;

24 (C) in the matter preceding subsection
25 (c)(2)(A)(i), by striking “International”;

1 (D) in subsection (c)(2)(A)(i), by inserting
2 “or to recreational shooting activities” after
3 “wildlife”; and

4 (E) in subsection (d), by inserting “or to
5 recreational shooting activities” after “wildlife”.

6 (2) STUDY.—Not later than 10 years after the
7 date of enactment of this Act, the Secretary of the
8 Interior, acting through the Director of the United
9 States Fish and Wildlife Service, shall—

10 (A) review and evaluate the effects of the
11 funds made available under subparagraph (B)
12 of section 11(a)(1) of the Pittman-Robertson
13 Wildlife Restoration Act (16 U.S.C. 669h–
14 2(a)(1)) (as added by paragraph (1)(A)(ii)) on
15 funds available for wildlife conservation; and

16 (B) submit a report describing the results
17 of the review and evaluation under paragraph
18 (1) to—

19 (i) the Committee on Environment
20 and Public Works of the Senate; and

21 (ii) the Committee on Natural Re-
22 sources of the House of Representatives.

1 **TITLE VI—JOHN F. KENNEDY**
2 **CENTER**

3 **SEC. 601. SHORT TITLE.**

4 This title may be cited as the “John F. Kennedy Cen-
5 ter Reauthorization Act of 2019”.

6 **SEC. 602. AUTHORIZATION OF APPROPRIATIONS.**

7 Section 13 of the John F. Kennedy Center Act (20
8 U.S.C. 76r), as amended by the Department of the Inte-
9 rior, Environment, and Related Agencies Appropriations
10 Act, 2020, is further amended by striking subsections (a)
11 and (b) and inserting the following:

12 “(a) MAINTENANCE, REPAIR, AND SECURITY.—
13 There are authorized to be appropriated to the Board to
14 carry out section 4(a)(1)(H)—

15 “(1) \$25,690,000 for fiscal year 2020;

16 “(2) \$27,000,000 for fiscal year 2021;

17 “(3) \$28,000,000 for fiscal year 2022;

18 “(4) \$29,000,000 for fiscal year 2023; and

19 “(5) \$30,000,000 for fiscal year 2024.

20 “(b) CAPITAL PROJECTS.—There are authorized to
21 be appropriated to the Board to carry out subparagraphs
22 (F) and (G) of section 4(a)(1)—

23 “(1) \$17,800,000 for fiscal year 2020;

24 “(2) \$18,000,000 for fiscal year 2021;

25 “(3) \$19,000,000 for fiscal year 2022;

1 “(4) \$20,000,000 for fiscal year 2023; and

2 “(5) \$21,000,000 for fiscal year 2024.”.

3 **SEC. 603. COMMEMORATION OF THE JOHN F. KENNEDY**

4 **CENTER FOR THE PERFORMING ARTS.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the John F. Kennedy Center for the Performing
7 Arts (referred to in this Act as the “Center”)—

8 (1) recognize the year 2021 as the 50th anni-
9 versary of the opening of the Center;

10 (2) acknowledge and commemorate the mission
11 of the Center as a national center for the performing
12 arts and a national memorial to President John F.
13 Kennedy; and

14 (3) recognize that the year 2018 is the 60th an-
15 niversary of the signing of the National Cultural
16 Center Act (now known as the “John F. Kennedy
17 Center Act”) (20 U.S.C. 76h et seq.), signed into
18 law by President Dwight D. Eisenhower on Sep-
19 tember 2, 1958.

20 (b) AUTHORIZATION FOR PLAQUE.—

21 (1) IN GENERAL.—The Center shall place with-
22 in the Center a plaque containing an inscription to
23 commemorate the 60th anniversary of the signing of
24 the National Cultural Center Act (20 U.S.C. 76h et
25 seq.) by President Dwight D. Eisenhower.

1 (2) SPECIFICATIONS.—The plaque shall be—

2 (A)(i) not less than 6 square feet in size;

3 and

4 (ii) not more than 18 square feet in size;

5 (B) of any shape that the Trustees of the
6 Center determine to be appropriate; and

7 (C) placed at a location within the Center
8 approximate to the Eisenhower Theater that
9 the Trustees of the Center determine to be ap-
10 propriate.

11 (3) FUNDING.—

12 (A) IN GENERAL.—No Federal funds may
13 be used to design, procure, or install the plaque.

14 (B) EXCEPTION.—Subparagraph (A) shall
15 not affect the payment of salaries, expenses,
16 and benefits otherwise authorized by law for
17 members and employees of the Center who par-
18 ticipate in carrying out this subsection.

19 (4) PRIVATE FUNDRAISING AUTHORIZED.—

20 (A) IN GENERAL.—The Center may solicit
21 and accept private contributions for the design,
22 procurement, and installation of the plaque.

23 (B) ACCOUNTING.—The Center may—

1 (i) establish an account into which
2 any contributions received pursuant to sub-
3 paragraph (A) shall be deposited; and

4 (ii) maintain documentation of any
5 contributions received pursuant to sub-
6 paragraph (A).

7 **TITLE VII—PRESERVING**
8 **AMERICA’S BATTLEFIELDS**

9 **SEC. 701. SHORT TITLE.**

10 This title may be cited as the “Preserving America’s
11 Battlefields Act”.

12 **SEC. 702. AUTHORIZATION OF APPROPRIATIONS FOR BAT-**
13 **TLEFIELD ACQUISITION GRANT PROGRAM.**

14 Section 308103(f) of title 54, United States Code, is
15 amended by striking “\$10,000,000 for each of fiscal years
16 2012 and 2013” and inserting “\$18,000,000 for each of
17 fiscal years 2020 through 2028”.

18 **SEC. 703. ESTABLISHMENT OF BATTLEFIELD INTERPRETA-**
19 **TION MODERNIZATION GRANT PROGRAM**
20 **AND BATTLEFIELD RESTORATION GRANT**
21 **PROGRAM.**

22 (a) ESTABLISHMENT OF BATTLEFIELD GRANT PRO-
23 GRAMS.—Chapter 3081 of title 54, United States Code,
24 is amended by adding at the end the following:

1 **“§ 308104. Battlefield interpretation modernization**
2 **grant program**

3 “(a) ESTABLISHMENT.—The Secretary shall estab-
4 lish a battlefield interpretation modernization grant pro-
5 gram under which the Secretary may provide competitive
6 grants to States, Tribes, local governments, and nonprofit
7 organizations for projects and programs that deploy tech-
8 nology to modernize battlefield interpretation and edu-
9 cation.

10 “(b) ELIGIBLE SITES.—The Secretary may make
11 grants under this section for Revolutionary War, War of
12 1812, and Civil War battlefield sites eligible for assistance
13 under the battlefield acquisition grant program established
14 under section 308103(b).

15 “(c) FEDERAL SHARE.—The Federal share of the
16 cost of a project or program funded through a grant pro-
17 vided under the program established under subsection (a)
18 shall be not more than 50 percent of the total cost of the
19 applicable project or program.

20 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
21 is authorized to be appropriated to the Secretary to pro-
22 vide grants under this section \$1,000,000 for each of fiscal
23 years 2020 through 2028.

24 **“§ 308105. Battlefield restoration grant program**

25 “(a) ESTABLISHMENT.—The Secretary shall estab-
26 lish a battlefield restoration grant program (referred to

1 in this section as the ‘program’) under which the Secretary
2 may provide grants to States, Tribes, local governments,
3 and nonprofit organizations for projects that restore day-
4 of-battle conditions on land preserved under the battlefield
5 acquisition grant program established under section
6 308103(b).

7 “(b) ELIGIBLE SITES.—The Secretary may make
8 grants under this section for Revolutionary War, War of
9 1812, and Civil War battlefield sites eligible for assistance
10 under the battlefield acquisition grant program established
11 under section 308103(b).

12 “(c) FEDERAL SHARE.—The Federal share of the
13 cost of a restoration project funded through a grant pro-
14 vided under the program shall be not more than 50 per-
15 cent of the total cost of the project.

16 “(d) RESTORATION STANDARDS.—All restoration
17 work carried out through a grant awarded under the pro-
18 gram shall be performed in accordance with the Secretary
19 of the Interior’s Standards for the Treatment of Historic
20 Properties under part 68 of title 36, Code of Federal Reg-
21 ulations (or successor regulations).

22 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
23 is authorized to be appropriated to the Secretary to pro-
24 vide grants under this section \$1,000,000 for each of fiscal
25 years 2020 through 2028.”.

1 (b) CLERICAL AMENDMENT.—The analysis for chap-
2 ter 3081 of title 54, United States Code, is amended by
3 adding at the end the following:

“308104. Battlefield interpretation modernization grant program.

“308105. Battlefield restoration grant program.”.

4 **TITLE VIII—VETERANS AFFAIRS**
5 **REPORT ON DISABILITY COM-**
6 **PENSATION AND THE POSI-**
7 **TIVE ASSOCIATION WITH EX-**
8 **POSURE TO AN HERBICIDE**
9 **AGENT**

10 **SEC. 801. REPORT ON EFFORTS TO DETERMINE WHETHER**
11 **TO ADD TO THE LIST OF DISEASES FOR**
12 **WHICH PRESUMPTION OF SERVICE-CONNEC-**
13 **TION IS WARRANTED FOR PURPOSES OF DIS-**
14 **ABILITY COMPENSATION BY REASON OF HAV-**
15 **ING POSITIVE ASSOCIATION WITH EXPOSURE**
16 **TO AN HERBICIDE AGENT.**

17 (a) IN GENERAL.—Not later than 30 days after the
18 date of the enactment of this Act, the Secretary of Vet-
19 erans Affairs, in consultation with the Director of the Of-
20 fice of Management and Budget, shall submit to the Com-
21 mittee on Veterans’ Affairs of the Senate and the Com-
22 mittee on Veterans’ Affairs of the House of Representa-
23 tives a report setting forth the status of any efforts of
24 the Secretary to determine whether to promulgate new

1 regulations to add to the list of diseases for which a pre-
2 sumption of service-connection is warranted for purposes
3 of section 1110 of title 38, United States Code, by reason
4 of having positive association with exposure to an herbi-
5 cide agent.

6 (b) CONTENTS.—The report submitted under sub-
7 section (a) shall include the following:

8 (1) A detailed explanation of any delays in
9 making a determination described in such sub-
10 section.

11 (2) An estimate of the cost of adding to the list
12 of diseases described in such subsection.

13 (3) The date the Secretary anticipates on which
14 the Secretary will promulgate new regulations as de-
15 scribed in such subsection.

16 (c) DEFINITION OF HERBICIDE AGENT.—For pur-
17 poses of this section, the term “herbicide agent” has the
18 meaning given such term in section 1116 of title 38,
19 United States Code.

20 **TITLE IX—DISASTER RECOVERY** 21 **WORKFORCE**

22 **SEC. 901. SHORT TITLE.**

23 This title may be cited as the “Disaster Recovery
24 Workforce Act”.

1 **SEC. 902. CONSTRUCTION WORKER PERMITS.**

2 Section 6(d)(3) of the Joint Resolution entitled “A
3 Joint Resolution to approve the ‘Covenant To Establish
4 a Commonwealth of the Northern Mariana Islands in Po-
5 litical Union with the United States of America’, and for
6 other purposes” (48 U.S.C. 1806(d)(3)) is amended by
7 adding at the end the following:

8 “(E) TYPHOON RECOVERY.—

9 “(i) PERMITS FOR CONSTRUCTION
10 WORKERS.—Notwithstanding any numer-
11 ical cap set forth in subparagraph (B) for
12 each of fiscal years 2020, 2021, and 2022,
13 the Secretary of Homeland Security shall
14 increase by 3,000, for each such fiscal
15 year, the total number of permits available
16 under this subsection for Construction and
17 Extraction Occupations (as defined by the
18 Department of Labor as Standard Occupa-
19 tional Classification Group 47–0000).

20 “(ii) PERMIT REQUIREMENTS.—The
21 Secretary may only issue a permit made
22 available under clause (i) to a prospective
23 employer if the permit is for an alien
24 who—

25 “(I) is a national of a country
26 designated eligible to participate in

1 the program under section
2 101(a)(15)(H)(ii)(b) of the Immigra-
3 tion and Nationality Act (8 U.S.C.
4 1101(a)(15)(H)(ii)(b)) during cal-
5 endar year 2018; and

6 “(II) is performing service or
7 labor pursuant to a contract or sub-
8 contract for construction, repairs, ren-
9 ovations, or facility services directly
10 connected to, or associated with recov-
11 ery from a presidentially declared
12 major disaster or emergency (as those
13 terms are defined in section 102 of
14 the Robert T. Stafford Disaster Relief
15 and Emergency Assistance Act (42
16 U.S.C. 5122), or for preparation for a
17 future disaster or emergency.

18 “(iii) EXCEPTION FOR CONSTRUCTION
19 WORKERS.—Subparagraph (D)(v) shall not
20 apply to a permit made available under
21 clause (i) for any fiscal year described in
22 such clause.”.

1 **TITLE X—TELEVISION VIEWER**
2 **PROTECTION**

3 **SEC. 1001. SHORT TITLE.**

4 This title may be cited as the “Television Viewer Pro-
5 tection Act of 2019”.

6 **SEC. 1002. EXTENSION OF AUTHORITY.**

7 (a) **IN GENERAL.**—Section 325(b) of the Commu-
8 nications Act of 1934 (47 U.S.C. 325(b)) is amended—

9 (1) in paragraph (2)(C)—

10 (A) by striking “until December 31,
11 2019,”; and

12 (B) by striking “antenna,” and all that fol-
13 lows and inserting “antenna under the statu-
14 tory license of section 119 of title 17, United
15 States Code;”; and

16 (2) in paragraph (3)(C), by striking “until Jan-
17 uary 1, 2020,” each place it appears.

18 (b) **CONFORMING AMENDMENT.**—Section 325(b)(2)
19 of the Communications Act of 1934 (47 U.S.C. 325(b)(2))
20 is amended by striking “, the term ‘unserved household’
21 has the meaning given that term under section 119(d) of
22 such title”.

1 **SEC. 1003. SATISFACTION OF GOOD FAITH NEGOTIATION**
2 **REQUIREMENT BY MULTICHANNEL VIDEO**
3 **PROGRAMMING DISTRIBUTORS.**

4 (a) SATISFACTION OF GOOD FAITH NEGOTIATION
5 REQUIREMENT.—Section 325(b)(3)(C) of the Commu-
6 nications Act of 1934 (47 U.S.C. 325(b)(3)(C)) is amend-
7 ed—

8 (1) in clause (iv), by striking “; and” and in-
9 serting a semicolon;

10 (2) in clause (v), by striking the period at the
11 end and inserting “; and”; and

12 (3) by adding at the end the following:

13 “(vi) not later than 90 days after the date of
14 the enactment of the Television Viewer Protection
15 Act of 2019, specify that—

16 “(I) a multichannel video programming
17 distributor may satisfy its obligation to nego-
18 tiate in good faith under clause (iii) with re-
19 spect to a negotiation for retransmission con-
20 sent under this section with a large station
21 group by designating a qualified MVPD buying
22 group to negotiate on its behalf, so long as the
23 qualified MVPD buying group itself negotiates
24 in good faith in accordance with such clause;

25 “(II) it is a violation of the obligation to
26 negotiate in good faith under clause (iii) for the

1 qualified MVPD buying group to disclose the
2 prices, terms, or conditions of an ongoing nego-
3 tiation or the final terms of a negotiation to a
4 member of the qualified MVPD buying group
5 that is not intending, or is unlikely, to enter
6 into the final terms negotiated by the qualified
7 MVPD buying group; and

8 “(III) a large station group has an obliga-
9 tion to negotiate in good faith under clause (ii)
10 with respect to a negotiation for retransmission
11 consent under this section with a qualified
12 MVPD buying group.”.

13 (b) DEFINITIONS.—Section 325(b)(7) of the Commu-
14 nications Act of 1934 (47 U.S.C. 325(b)(7)) is amended—

15 (1) in subparagraph (A), by striking “; and”
16 and inserting a semicolon;

17 (2) in subparagraph (B), by striking the period
18 at the end and inserting a semicolon; and

19 (3) by adding at the end the following:

20 “(C) ‘qualified MVPD buying group’ means an
21 entity that, with respect to a negotiation with a
22 large station group for retransmission consent under
23 this section—

24 “(i) negotiates on behalf of two or more
25 multichannel video programming distributors—

1 “(I) none of which is a multichannel
2 video programming distributor that serves
3 more than 500,000 subscribers nationally;
4 and

5 “(II) that do not collectively serve
6 more than 25 percent of all households
7 served by a multichannel video program-
8 ming distributor in any single local market
9 in which the applicable large station group
10 operates; and

11 “(ii) negotiates agreements for such re-
12 transmission consent—

13 “(I) that contain standardized con-
14 tract provisions, including billing struc-
15 tures and technical quality standards, for
16 each multichannel video programming dis-
17 tributor on behalf of which the entity nego-
18 tiates; and

19 “(II) under which the entity assumes
20 liability to remit to the applicable large
21 station group all fees received from the
22 multichannel video programming distribu-
23 tors on behalf of which the entity nego-
24 tiates;

1 “(D) ‘large station group’ means a group of tel-
2 vision broadcast stations that—

3 “(i) are directly or indirectly under com-
4 mon de jure control permitted by the regula-
5 tions of the Commission;

6 “(ii) generally negotiate agreements for re-
7 transmission consent under this section as a
8 single entity; and

9 “(iii) include only television broadcast sta-
10 tions that have a national audience reach of
11 more than 20 percent;

12 “(E) ‘local market’ has the meaning given such
13 term in section 122(j) of title 17, United States
14 Code; and

15 “(F) ‘multichannel video programming dis-
16 tributor’ has the meaning given such term in section
17 602.”.

18 (c) CONFORMING AMENDMENTS.—Section 325(b) of
19 the Communications Act of 1934 (47 U.S.C. 325(b)) is
20 amended—

21 (1) in paragraph (2), by striking “, and the
22 term ‘local market’ has the meaning given that term
23 in section 122(j) of such title”; and

1 (2) in paragraph (3)(C), by striking “(as de-
2 fined in section 122(j) of title 17, United States
3 Code)” each place it appears.

4 (d) **EFFECTIVE DATE.**—The amendments made by
5 this section, and the regulations promulgated by the Fed-
6 eral Communications Commission under such amend-
7 ments, shall not take effect before January 1 of the cal-
8 endar year after the calendar year in which this Act is
9 enacted.

10 **SEC. 1004. REQUIREMENTS RELATING TO CHARGES FOR**
11 **COVERED SERVICES.**

12 (a) **IN GENERAL.**—Part IV of title VI of the Commu-
13 nications Act of 1934 (47 U.S.C. 551 et seq.) is amended
14 by adding at the end the following:

15 **“SEC. 642. REQUIREMENTS RELATING TO CHARGES FOR**
16 **COVERED SERVICES.**

17 “(a) **CONSUMER RIGHTS IN SALES.**—

18 “(1) **RIGHT TO TRANSPARENCY.**—Before enter-
19 ing into a contract with a consumer for the provision
20 of a covered service, a provider of a covered service
21 shall provide the consumer, by phone, in person, on-
22 line, or by other reasonable means, the total monthly
23 charge for the covered service, whether offered indi-
24 vidually or as part of a bundled service, selected by
25 the consumer (explicitly noting the amount of any

1 applicable promotional discount reflected in such
2 charge and when such discount will expire), includ-
3 ing any related administrative fees, equipment fees,
4 or other charges, a good faith estimate of any tax,
5 fee, or charge imposed by the Federal Government
6 or a State or local government (whether imposed on
7 the provider or imposed on the consumer but col-
8 lected by the provider), and a good faith estimate of
9 any fee or charge that is used to recover any other
10 assessment imposed on the provider by the Federal
11 Government or a State or local government.

12 “(2) RIGHT TO FORMAL NOTICE.—A provider
13 of a covered service that enters into a contract de-
14 scribed in paragraph (1) shall, not later than 24
15 hours after entering into the contract, send the con-
16 sumer, by email, online link, or other reasonably
17 comparable means, a copy of the information de-
18 scribed in such paragraph.

19 “(3) RIGHT TO CANCEL.—A provider of a cov-
20 ered service that enters into a contract described in
21 paragraph (1) shall permit the consumer to cancel
22 the contract, without paying early cancellation fees
23 or other disconnection fees or penalties, during the
24 24-hour period beginning when the provider of the

1 covered service sends the copy required by para-
2 graph (2).

3 “(b) CONSUMER RIGHTS IN E-BILLING.—If a pro-
4 vider of a covered service provides a bill to a consumer
5 in an electronic format, the provider shall include in the
6 bill—

7 “(1) an itemized statement that breaks down
8 the total amount charged for or relating to the pro-
9 vision of the covered service by the amount charged
10 for the provision of the service itself and the amount
11 of all related taxes, administrative fees, equipment
12 fees, or other charges;

13 “(2) the termination date of the contract for
14 the provision of the covered service entered into be-
15 tween the consumer and the provider; and

16 “(3) the termination date of any applicable pro-
17 motional discount.

18 “(c) CONSUMER RIGHTS TO ACCURATE EQUIPMENT
19 CHARGES.—A provider of a covered service or fixed
20 broadband internet access service may not charge a con-
21 sumer for—

22 “(1) using covered equipment provided by the
23 consumer; or

24 “(2) renting, leasing, or otherwise providing to
25 the consumer covered equipment if—

1 “(A) the provider has not provided the
2 equipment to the consumer; or

3 “(B) the consumer has returned the equip-
4 ment to the provider, except to the extent that
5 the charge relates to the period beginning on
6 the date when the provider provided the equip-
7 ment to the consumer and ending on the date
8 when the consumer returned the equipment to
9 the provider.

10 “(d) DEFINITIONS.—In this section:

11 “(1) BROADBAND INTERNET ACCESS SERV-
12 ICE.—The term ‘broadband internet access service’
13 has the meaning given such term in section 8.1(b)
14 of title 47, Code of Federal Regulations, or any suc-
15 cessor regulation.

16 “(2) COVERED EQUIPMENT.—The term ‘cov-
17 ered equipment’ means equipment (such as a router)
18 employed on the premises of a person (other than a
19 provider of a covered service or fixed broadband
20 internet access service) to provide a covered service
21 or to provide fixed broadband internet access service.

22 “(3) COVERED SERVICE.—The term ‘covered
23 service’ means service provided by a multichannel
24 video programming distributor, to the extent such

1 distributor is acting as a multichannel video pro-
2 gramming distributor.”.

3 (b) EFFECTIVE DATE.—Section 642 of the Commu-
4 nications Act of 1934, as added by subsection (a) of this
5 section, shall apply beginning on the date that is 6 months
6 after the date of the enactment of this Act. The Federal
7 Communications Commission may grant an additional 6-
8 month extension if the Commission finds that good cause
9 exists for such an additional extension.

10 **TITLE XI—ELIGIBILITY TO RE-**
11 **CEIVE SIGNALS UNDER A DIS-**
12 **TANT-SIGNAL SATELLITE LI-**
13 **CENSE**

14 **SEC. 1101. SHORT TITLE.**

15 This title may be cited as the “Satellite Television
16 Community Protection and Promotion Act of 2019”.

17 **SEC. 1102. ELIGIBILITY TO RECEIVE SIGNALS UNDER A DIS-**
18 **TANT-SIGNAL SATELLITE LICENSE.**

19 (a) IN GENERAL.—Section 119 of title 17, United
20 States Code, is amended—

21 (1) in subsection (a)—

22 (A) in paragraph (2)—

23 (i) in subparagraph (A)—

24 (I) by striking “signals, and” and
25 inserting “signals,”;

1 (II) by inserting “, and the car-
2 rier provides local-into-local service to
3 all DMAs” after “receiving the sec-
4 ondary transmission”; and

5 (III) by adding at the end the
6 following new sentence: “Failure to
7 reach an agreement with a network
8 station to retransmit the signals of
9 the station shall not be construed to
10 affect compliance with providing local-
11 into-local service to all DMAs if the
12 satellite carrier has the capability to
13 retransmit such signals when an
14 agreement is reached.”; and

15 (ii) in subparagraph (B)—

16 (I) by striking clauses (ii) and
17 (iii);

18 (II) by adding at the end the fol-
19 lowing:

20 “(ii) **SHORT MARKETS.**—In the case
21 of secondary transmissions to households
22 located in short markets, subject to clause
23 (i), the statutory license shall be further
24 limited to secondary transmissions of only
25 those primary transmissions of network

1 stations that embody the programming of
2 networks not offered on the primary
3 stream or the multicast stream transmitted
4 by any network station in that market.”;

5 (B) by striking paragraphs (3), (6)(E),
6 (9), (10), and (13); and

7 (C) by redesignating paragraphs (4), (5),
8 (6), (7), (8), (11), (12), and (14) as paragraphs
9 (3) through (10), respectively;
10 (2) in subsection (c)(1)(E)—

11 (A) by striking the comma after “in the
12 agreement”;

13 (B) by striking “until December 31, 2019,
14 or”;

15 (C) by striking “, whichever is later” and
16 inserting “until the subscriber for which the
17 royalty is payable is no longer eligible to receive
18 a secondary transmission pursuant to the li-
19 cense under this section”;

20 (3) in subsection (d)—

21 (A) in paragraph (10)—

22 (i) in subparagraph (D), by striking
23 “subsection (a)(11)” and inserting “sub-
24 section (a)(8)”;

1 (ii) by striking subparagraphs (A),
2 (B), (C), and (E);

3 (iii) by redesignating subparagraph
4 (D) as subparagraph (A); and

5 (iv) by adding at the end the fol-
6 lowing:

7 “(B) is a subscriber located in a short
8 market.”;

9 (B) by striking paragraph (13);

10 (C) by redesignating paragraphs (14) and
11 (15) as paragraphs (13) and (14), respectively;
12 and

13 (D) by adding at the end the following:

14 “(15) LOCAL-INTO-LOCAL SERVICE TO ALL
15 DMAS.—The term ‘local-into-local service to all
16 DMAs’ has the meaning given such term in sub-
17 section (f)(7).

18 “(16) SHORT MARKET.—The term ‘short mar-
19 ket’ means a local market in which programming of
20 one or more of the four most widely viewed television
21 networks nationwide is not offered on either the pri-
22 mary stream or multicast stream transmitted by any
23 network station in that market or is temporarily or
24 permanently unavailable as a result of an act of god

1 or other force majeure event beyond the control of
2 the carrier.”;

3 (4) by striking subsections (e) and (h);

4 (5) in subsection (g)(7), by inserting “, except
5 for designated market areas where the entity is tem-
6 porarily or permanently unable to provide local serv-
7 ice as a result of an act of god or other force
8 majeure event beyond the control of the entity” after
9 “section 122”; and

10 (6) by redesignating subsections (f) and (g) as
11 subsections (e) and (f).

12 (b) PREVIOUSLY COVERED SUBSCRIBERS UNDER
13 THE STELA REAUTHORIZATION ACT OF 2014.—

14 (1) IN GENERAL.—A subscriber of a satellite
15 carrier who receives the secondary transmission of a
16 network station under the statutory license in sec-
17 tion 119 of title 17, United States Code, as in effect
18 on the day before the date of the enactment of this
19 Act, and to whom subsection (a)(2)(B) of such sec-
20 tion, as amended by subsection (a), does not apply,
21 shall continue to be eligible to receive that secondary
22 transmission from such carrier under such license,
23 and at the royalty rate established for such license
24 by the Copyright Royalty Board or voluntary agree-

1 ment, as applicable, until the date that is the earlier
2 of—

3 (A) May 31, 2020; or

4 (B) the date on which such carrier pro-
5 vides local-into-local service to all DMAs.

6 (2) DEFINITIONS.—In this subsection, the
7 terms “satellite carrier”, “subscriber”, “secondary
8 transmission”, “network station”, and “local-into-
9 local service to all DMAs” have the meaning given
10 those terms in section 119 of title 17, United States
11 Code.

12 (c) CONFORMING AMENDMENTS.—Title 17, United
13 States Code, is further amended—

14 (1) in section 119, as amended by subsection
15 (a)—

16 (A) in subsection (a)—

17 (i) in paragraph (1), by striking
18 “paragraphs (4), (5), and (7)” and insert-
19 ing “paragraphs (3), (4), and (6)”; and

20 (ii) in paragraph (2), by striking
21 “paragraphs (4), (5), (6), and (7)” and in-
22 serting “paragraphs (3), (4), (5), and (6)”;
23 and

24 (B) in subsection (f), as so redesignated,
25 by striking “subsection (a)(7)(B)” each place it

1 appears and inserting “subsection (a)(5)(B)”;
2 and
3 (2) in section 501(e), by striking “section
4 119(a)(5)” and inserting “section 119(a)(3)”.

5 **TITLE XII—GROUND FISH TRAWL** 6 **FISHERY**

7 **SEC. 1201. GROUND FISH TRAWL FISHERY.**

8 The Secretary of Commerce shall forgive the interest
9 accrued on the Groundfish Trawl fishery sub-loan regard-
10 ing fishing capacity reduction in the West Coast ground-
11 fish fishery authorized by section 212 of division B, title
12 II, of Public Law 108–7 from December 4, 2003, through
13 September 8, 2005, and the portion of additional interest
14 accrued in the Groundfish Trawl fishery sub-loan since
15 September 8, 2005, that is directly attributable to the
16 delay in implementing a repayment system. The Secretary
17 of the Treasury shall make available, out of any funds in
18 the Treasury not otherwise appropriated, such sums nec-
19 essary for any loan modification under this provision.

20 **TITLE XIII—TEMPORARY RELIEF** 21 **FROM CERTAIN ERISA RE-** 22 **QUIREMENTS**

23 **SEC. 1301. SHORT TITLE.**

24 This title may be cited as the “Temporary Relief
25 from Certain ERISA Requirements Act of 2020”.

1 **SEC. 1302. EXEMPTION.**

2 (a) IN GENERAL.—Section 408 of the Employee Re-
3 tirement Income Security Act of 1974 (29 U.S.C. 1108)
4 is amended by adding at the end the following:

5 “(h) PROVISION OF PHARMACY BENEFIT SERV-
6 ICES.—

7 “(1) IN GENERAL.—Provided that all of the
8 conditions described in paragraph (2) are met, the
9 restrictions imposed by subsections (a), (b)(1), and
10 (b)(2) of section 406 shall not apply to—

11 “(A) the offering of pharmacy benefit serv-
12 ices to a group health plan that is sponsored by
13 an entity described in section 3(37)(G)(vi) or to
14 any other group health plan that is sponsored
15 by a regional council, local union, or other labor
16 organization affiliated with such entity;

17 “(B) the purchase of pharmacy benefit
18 services by plan participants and beneficiaries
19 of a group health plan that is sponsored by an
20 entity described in section 3(37)(G)(vi) or of
21 any other group health plan that is sponsored
22 by a regional council, local union, or other labor
23 organization affiliated with such entity; or

24 “(C) the operation or implementation of
25 pharmacy benefit services by an entity de-
26 scribed in section 3(37)(G)(vi) or by any other

1 group health plan that is sponsored by a re-
2 gional council, local union, or other labor orga-
3 nization affiliated with such entity,
4 in any arrangement where such entity described in
5 section 3(37)(G)(vi) or any related organization or
6 subsidiary of such entity provides pharmacy benefit
7 services that include prior authorization and appeals,
8 a retail pharmacy network, pharmacy benefit admin-
9 istration, mail order fulfillment, formulary support,
10 manufacturer payments, audits, and specialty phar-
11 macy and goods, to any such group health plan.

12 “(2) CONDITIONS.—The conditions described in
13 this paragraph are the following:

14 “(A) The terms of the arrangement are at
15 least as favorable to the group health plan as
16 such group health plan could obtain in a similar
17 arm’s length arrangement with an unrelated
18 third party.

19 “(B) At least 50 percent of the providers
20 participating in the pharmacy benefit services
21 offered by the arrangement are unrelated to the
22 contributing employers or any other party in in-
23 terest with respect to the group health plan.

24 “(C) The group health plan retains an
25 independent fiduciary who will be responsible

1 for monitoring the group health plan’s consult-
2 ants, contractors, subcontractors, and other
3 service providers for purposes of pharmacy ben-
4 efit services described in paragraph (1) offered
5 by such entity or any of its related organiza-
6 tions or subsidiaries and monitors the trans-
7 actions of such entity and any of its related or-
8 ganizations or subsidiaries to ensure that all
9 conditions of this exemption are satisfied during
10 each plan year.

11 “(D) Any decisions regarding the provision
12 of pharmacy benefit services described in para-
13 graph (1) are made by the group health plan’s
14 independent fiduciary, based on objective stand-
15 ards developed by the independent fiduciary in
16 reliance on information provided by the ar-
17 rangement.

18 “(E) The independent fiduciary of the
19 group health plan provides an annual report to
20 the Secretary and the congressional committees
21 of jurisdiction attesting that the conditions de-
22 scribed in subparagraphs (C) and (D) have
23 been met for the applicable plan year, together
24 with a statement that use of the arrangement’s
25 services are in the best interest of the partici-

1 pants and beneficiaries in the aggregate for
2 that plan year compared to other similar ar-
3 rangements the group health plan could have
4 obtained in transactions with an unrelated third
5 party.

6 “(F) The arrangement is not designed to
7 benefit any party in interest with respect to the
8 group health plan.

9 “(3) VIOLATIONS.—In the event an entity de-
10 scribed in section 3(37)(G)(vi) or any affiliate of
11 such entity violates any of the conditions of such ex-
12 emption, such exemption shall not apply with respect
13 to such entity or affiliate and all enforcement and
14 claims available under this Act shall apply with re-
15 spect to such entity or affiliate.

16 “(4) RULE OF CONSTRUCTION.—Nothing in
17 this subsection shall be construed to modify any obli-
18 gation of a group health plan otherwise set forth in
19 this Act.

20 “(5) GROUP HEALTH PLAN.—In this sub-
21 section, the term ‘group health plan’ has the mean-
22 ing given such term in section 733(a).”.

23 (b) AMENDMENT TO INTERNAL REVENUE CODE OF
24 1986.—Subsection (c) of section 4975 of the Internal Rev-

1 enue Code of 1986 is amended by adding at the end the
2 following new paragraph:

3 “(7) SPECIAL RULE FOR PROVISION OF PHAR-
4 MACY BENEFIT SERVICES.—Any party to an ar-
5 rangement which satisfies the requirements of sec-
6 tion 408(h) of the Employee Retirement Income Se-
7 curity Act of 1974 shall be exempt from the tax im-
8 posed by this section with respect to such arrange-
9 ment.”.

10 (c) APPLICABILITY.—With respect to a group health
11 plan subject to subsection (h) of section 408 of the Em-
12 ployee Retirement Income Security Act of 1974 (29
13 U.S.C. 1108) (as amended by subsection (a)) and sub-
14 section (c) of section 4975 of the Internal Revenue Code
15 of 1986 (as amended by subsection (b)), beginning at the
16 end of the fifth plan year of such group health plan that
17 begins after the date of enactment of this Act, such sub-
18 section (h) of such section 408 and such subsection (c)
19 of such shall have no force or effect.

20 **TITLE XIV—LIBRARY OF CON-**
21 **GRESS TECHNICAL CORREC-**
22 **TIONS**

23 **SEC. 1401. SHORT TITLE.**

24 This title may be cited as the “Library of Congress
25 Technical Corrections Act of 2019”.

1 **SEC. 1402. AMENDMENT TO AMERICAN FOLKLIFE PRESER-**
2 **VATION ACT.**

3 Section 4 of the American Folklife Preservation Act
4 (20 U.S.C. 2103) is amended—

5 (1) in subsection (b)(1)(D)—

6 (A) in the matter preceding clause (i), by
7 striking “seven” and inserting “nine”;

8 (B) in clause (vi), by striking “and” after
9 the semicolon;

10 (C) in clause (vii), by striking the period at
11 the end and inserting a semicolon; and

12 (D) by adding at the end the following:

13 “(viii) the Secretary of Veterans Affairs;
14 and

15 “(ix) the Director of the Institute of Mu-
16 seum and Library Services.”; and

17 (2) in subsection (f), by striking the second sen-
18 tence and inserting the following: “The rate of basic
19 pay of the Director shall be fixed in accordance with
20 section 5376(b) of title 5, United States Code.”.

21 **SEC. 1403. NATIONAL LIBRARY SERVICE FOR THE BLIND**
22 **AND PRINT DISABLED.**

23 (a) **IN GENERAL.**—The Act entitled “An Act to pro-
24 vide books for the adult blind”, approved March 3, 1931
25 (2 U.S.C. 135a et seq.), is amended to read as follows:

1 **“SECTION 1. NATIONAL LIBRARY SERVICE FOR THE BLIND**
2 **AND PRINT DISABLED.**

3 “(a) ACCESSIBLE MATERIALS AND REPRODUCERS.—

4 “(1) IN GENERAL.—The Librarian of Congress
5 is authorized to provide to eligible persons who are
6 residents of the United States (including residents of
7 the several States, insular possessions, and the Dis-
8 trict of Columbia) and to eligible persons who are
9 United States citizens residing outside the United
10 States the following items:

11 “(A) Literary works published in raised
12 characters, on sound-reproduction recordings,
13 or in any other accessible format.

14 “(B) Musical scores, instructional texts,
15 and other specialized materials used in fur-
16 thering educational, vocational, and cultural op-
17 portunities in the field of music published in
18 any accessible format.

19 “(C) Reproducers for such formats.

20 “(2) OWNERSHIP.—Any item provided under
21 paragraph (1) shall be provided on a loan basis and
22 shall remain the property of the Library of Con-
23 gress.

24 “(b) LENDING PREFERENCE.—In the lending of
25 items under subsection (a), the Librarian shall at all times
26 give preference to—

1 “(1) the needs of the blind and visually dis-
2 abled; and

3 “(2) the needs of eligible persons who have been
4 honorably discharged from the Armed Forces of the
5 United States.

6 “(c) NETWORK.—The Librarian of Congress may
7 contract or otherwise arrange with such public or other
8 nonprofit libraries, agencies, or organizations as the Li-
9 brarian may determine appropriate to serve as local or re-
10 gional centers for the circulation of items described in sub-
11 section (a)(1).

12 “(d) INTERNATIONAL SERVICE.—The Librarian of
13 Congress is authorized to provide items described in sub-
14 paragraphs (A) and (B) of subsection (a)(1) to authorized
15 entities located in a country that is a party to the Marra-
16 kesh Treaty, if any such items are delivered to authorized
17 entities through online, not physical, means. The Librar-
18 ian may contract or otherwise arrange with such author-
19 ized entities to deliver such items to eligible persons lo-
20 cated in their countries in any accessible format and con-
21 sistent with section 121A of title 17, United States Code.

22 “(e) CONTRACTING PREFERENCE.—In the purchase
23 and maintenance of items described in subsection (a), the
24 Librarian of Congress, without regard to section 6101 of
25 title 41, United States Code, shall give preference to non-

1 profit institutions or agencies whose activities are pri-
2 marily concerned with the blind and with other physically
3 disabled persons, in all cases where, considering all the
4 circumstances and needs involved, the Librarian deter-
5 mines that the prices submitted are fair and reasonable.

6 “(f) REGULATIONS.—The Librarian of Congress
7 shall prescribe regulations for services under this section,
8 in consultation with eligible persons and authorized enti-
9 ties. Such regulations shall include procedures that shall
10 be used by an individual to establish that the individual
11 is an eligible person.

12 “(g) DEFINITIONS.—In this section—

13 “(1) the terms ‘accessible format’, ‘authorized
14 entity’, and ‘eligible person’ have the meanings given
15 those terms in section 121 of title 17, United States
16 Code; and

17 “(2) the term ‘Marrakesh Treaty’ has the
18 meaning given in section 121A of such title 17.

19 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated to carry out this section
21 such sums as may be necessary.”.

22 (b) CONFORMING AMENDMENT.—The Act entitled
23 “An Act to establish in the Library of Congress a library
24 of musical scores and other instructional materials to fur-
25 ther educational, vocational, and cultural opportunities in

1 the field of music for blind persons”, approved October
2 9, 1962 (2 U.S.C. 135a–1), is repealed.

3 **SEC. 1404. UNIFORM PAY SCALE FOR LIBRARY OF CON-**
4 **GRESS CAREER SENIOR EXECUTIVE POSI-**
5 **TIONS.**

6 (a) EXECUTIVE SCHEDULE POSITIONS.—

7 (1) DEPUTY LIBRARIAN OF CONGRESS.—Para-
8 graph (2) of section 904 of the Supplemental Appro-
9 priations Act, 1983 (2 U.S.C. 136a–2) is amended
10 to read as follows:

11 “(2) the Deputy Librarian of Congress shall be
12 compensated at the greater of the rate of pay in ef-
13 fect for level III of the Executive Schedule under
14 section 5314 of title 5, United States Code, or the
15 maximum annual rate of basic pay payable under
16 section 5376 of such title for positions at agencies
17 with a performance appraisal system certified under
18 section 5307(d) of such title.”.

19 (2) DIRECTOR, CONGRESSIONAL RESEARCH
20 SERVICE.—The second sentence of section 203(c)(1)
21 of the Legislative Reorganization Act of 1946 (2
22 U.S.C. 166(c)(1)) is amended to read as follows:
23 “The Director shall be compensated at the greater
24 of the rate of pay in effect for level III of the Execu-
25 tive Schedule under section 5314 of title 5, United

1 States Code, or the maximum annual rate of basic
2 pay payable under section 5376 of such title for po-
3 sitions at agencies with a performance appraisal sys-
4 tem certified under section 5307(d) of such title.”.

5 (3) REGISTER OF COPYRIGHTS.—The first sen-
6 tence of section 701(f) of title 17, United States
7 Code, is amended to read as follows: “The Register
8 of Copyrights shall be compensated at the greater of
9 the rate of pay in effect for level III of the Executive
10 Schedule under section 5314 of title 5 or the max-
11 imum annual rate of basic pay payable under section
12 5376 of such title for positions at agencies with a
13 performance appraisal system certified under section
14 5307(d) of such title.”.

15 (b) REFERENCES TO GS GRADES 16, 17, AND 18
16 AND SENIOR LEVEL CLASSIFICATION.—

17 (1) CONGRESSIONAL RESEARCH SERVICE.—Sec-
18 tion 203(c)(2) of the Legislative Reorganization Act
19 of 1946 (2 U.S.C. 166(c)(2)) is amended—

20 (A) in the second sentence of the matter
21 preceding subparagraph (A), by deleting “sub-
22 chapter III” and all that follows through “such
23 title.” and inserting “section 5376 of title 5,
24 United States Code.”; and

1 (B) in subparagraph (B), by striking “may
2 be placed in GS–16, 17, and 18” and all that
3 follows through the period at the end and in-
4 serting “may be classified above GS–15 in ac-
5 cordance with section 5108(c) of title 5, United
6 States Code, and the rate of basic pay for such
7 positions may be fixed in accordance with sec-
8 tion 5376 of such title, subject to the prior ap-
9 proval of the Joint Committee on the Library.”.

10 (2) U.S. COPYRIGHT OFFICE.—Section 701(f) of
11 title 17, United States Code, is amended by striking
12 the last sentence and inserting “The rate of basic
13 pay for each Associate Register of Copyrights shall
14 be fixed in accordance with section 5376 of title 5.”.

15 **SEC. 1405. STAFFING FOR COPYRIGHT ROYALTY JUDGES**
16 **PROGRAM.**

17 (a) REMOVAL OF CAP ON PERSONNEL.—Chapter 8
18 of title 17, United States Code, is amended—

19 (1) in section 802—

20 (A) in subsection (b), by striking “3”; and

21 (B) in subsection (e), by striking para-
22 graph (2) and inserting the following:

23 “(2) STAFF MEMBERS.—Staff members ap-
24 pointed under subsection (b) shall be compensated at

1 a rate not more than the basic rate of pay payable
2 for level 10 of GS–15 of the General Schedule.”; and

3 (2) in section 803(e)(1)(A), by striking “3”.

4 (b) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect with respect to fiscal year
6 2020 and each fiscal year thereafter.

7 TITLE XV—SENATE ENTITIES

8 SEC. 1501. Section 2(e) of chapter VIII of title I of
9 Public Law 100–71 (2 U.S.C. 6567(e)) is amended by
10 striking “\$10,000” and inserting “\$15,000”.

11 SEC. 1502. Section 902 of the Emergency Supple-
12 mental Act, 2002 (2 U.S.C. 6616) is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)—

15 (i) by striking “subsection (b)” and
16 inserting “paragraph (3)”; and

17 (ii) by striking “and” at the end;

18 (B) in paragraph (2), by striking the pe-
19 riod and inserting “; and”; and

20 (C) by adding at the end the following:

21 “(3) the Sergeant at Arms of the Senate may
22 enter into a memorandum of understanding de-
23 scribed in paragraph (1) consistent with the Senate
24 Procurement Regulations.”; and

1 (2) by striking subsection (b) and inserting the
2 following:

3 “(b) The Sergeant at Arms of the Senate may incur
4 obligations and make expenditures for meals, refresh-
5 ments, and other support and maintenance for Members,
6 officers, and employees of the Senate when such obliga-
7 tions and expenditures are necessary to respond to emer-
8 gencies involving the safety of human life or the protection
9 of property.”.

10 **TITLE XVI—LEGISLATIVE**
11 **BRANCH INSPECTORS GEN-**
12 **ERAL INDEPENDENCE**

13 **SEC. 1601. SHORT TITLE.**

14 This title may be cited as the “Legislative Branch
15 Inspectors General Independence Act of 2019”.

16 **SEC. 1602. PAY, LIMITS ON BONUSES, COUNSEL, AND AU-**
17 **THORITIES.**

18 (a) LIBRARY OF CONGRESS.—Section 1307 of the
19 Legislative Branch Appropriations Act, 2006 (2 U.S.C.
20 185) is amended—

21 (1) in subsection (c)—

22 (A) in the subsection heading, by inserting
23 “; PAY; LIMITS ON BONUSES; COUNSEL” after
24 “REMOVAL”;

1 (B) by striking paragraph (2) and insert-
2 ing the following:

3 “(2) REMOVAL OR TRANSFER.—

4 “(A) IN GENERAL.—The Inspector General
5 may be removed from office, or transferred to
6 another position within, or another location of,
7 the Library of Congress, by the Librarian of
8 Congress.

9 “(B) NOTICE.—Not later than 30 days be-
10 fore the Librarian of Congress removes or
11 transfers the Inspector General under subpara-
12 graph (A), the Librarian of Congress shall com-
13 municate in writing the reason for the removal
14 or transfer to—

15 “(i) the Committee on House Admin-
16 istration and the Committee on Appropria-
17 tions of the House of Representatives; and

18 “(ii) the Committee on Rules and Ad-
19 ministration and the Committee on Appro-
20 priations of the Senate.

21 “(C) APPLICABILITY.—Nothing in this
22 paragraph shall prohibit a personnel action (ex-
23 cept for removal or transfer) that is otherwise
24 authorized by law.”; and

25 (C) by adding at the end the following:

1 “(3) PAY.—

2 “(A) IN GENERAL.—The position of In-
3 specter General shall—

4 “(i) be classified as a position above
5 GS–15 in accordance with section 5108 of
6 title 5, United States Code; and

7 “(ii) have a rate of basic pay that is
8 not less than the average rate of basic pay
9 of all other employees in positions classi-
10 fied as above GS–15 of the Library of
11 Congress calculated on an annual basis.

12 “(B) ADJUSTMENTS.—The Librarian of
13 Congress shall establish the amount of the an-
14 nual adjustment in the rate of basic pay for the
15 Inspector General in an amount equal to the
16 average of the annual adjustments in the rate
17 of basic pay provided to all other employees in
18 positions classified as above GS–15 of the Li-
19 brary of Congress, in a manner consistent with
20 section 5376 of title 5, United States Code.

21 “(4) NO BONUSES.—The Inspector General
22 may not receive any cash award or cash bonus, in-
23 cluding a cash award under chapter 45 of title 5,
24 United States Code.

1 “(5) COUNSEL.—The Inspector General shall,
2 in accordance with applicable laws and regulations
3 governing selections, appointments, and employment
4 at the Library of Congress, obtain legal advice from
5 a counsel reporting directly to the Inspector General
6 or another Inspector General.”; and

7 (2) in subsection (d)(1), by striking “Sections
8 4” and all that follows through “and 7” and insert-
9 ing “Sections 4, 5 (other than subsection (a)(13)),
10 6 (other than subsection (a)(7)), and 7”.

11 (b) OFFICE OF THE ARCHITECT OF THE CAPITOL.—
12 Section 1301(c) of the Architect of the Capitol Inspector
13 General Act of 2007 (2 U.S.C. 1808(c)) is amended—

14 (1) in the subsection heading, by inserting “;
15 PAY; LIMITS ON BONUSES; COUNSEL” after “RE-
16 MOVAL”;

17 (2) by striking paragraph (2) and inserting the
18 following:

19 “(2) REMOVAL OR TRANSFER.—

20 “(A) IN GENERAL.—The Inspector General
21 may be removed from office, or transferred to
22 another position within, or another location of,
23 the Office of the Architect of the Capitol, by the
24 Architect of the Capitol.

1 “(B) NOTICE.—Not later than 30 days be-
2 fore the Architect of the Capitol removes or
3 transfers the Inspector General under subpara-
4 graph (A), the Architect of the Capitol shall
5 communicate in writing the reason for the re-
6 moval or transfer to—

7 “(i) the Committee on House Admin-
8 istration and the Committee on Appropria-
9 tions of the House of Representatives; and

10 “(ii) the Committee on Rules and Ad-
11 ministration and the Committee on Appro-
12 priations of the Senate.

13 “(C) APPLICABILITY.—Nothing in this
14 paragraph shall prohibit a personnel action (ex-
15 cept for removal or transfer) that is otherwise
16 authorized by law.”; and

17 (3) by adding at the end the following:

18 “(4) NO BONUSES.—The Inspector General
19 may not receive any cash award or cash bonus, in-
20 cluding a cash award under chapter 45 of title 5,
21 United States Code.

22 “(5) COUNSEL.—The Inspector General shall,
23 in accordance with applicable laws and regulations
24 governing selections, appointments, and employment
25 at the Office of the Architect of the Capitol, obtain

1 legal advice from a counsel reporting directly to the
2 Inspector General or another Inspector General.”.

3 (c) GOVERNMENT PUBLISHING OFFICE.—

4 (1) IN GENERAL.—Section 3902 of title 44,
5 United States Code, is amended—

6 (A) in the section heading, by inserting “;
7 **pay; limits on bonuses; counsel**” after
8 **“removal”**;

9 (B) by striking subsection (b) and insert-
10 ing the following:

11 “(b)(1) The Inspector General may be removed from
12 office, or transferred to another position within, or an-
13 other location of, the Government Publishing Office, by
14 the Director of the Government Publishing Office.

15 “(2) Not later than 30 days before the Director re-
16 moves or transfers the Inspector General under paragraph
17 (1), the Director shall communicate in writing the reason
18 for the removal or transfer to—

19 “(A) the Committee on House Administration
20 and the Committee on Appropriations of the House
21 of Representatives; and

22 “(B) the Committee on Rules and Administra-
23 tion and the Committee on Appropriations of the
24 Senate.

1 “(3) Nothing in this subsection shall prohibit a per-
2 sonnel action (except for removal or transfer) that is oth-
3 erwise authorized by law.”; and

4 (C) by adding at the end the following:

5 “(c)(1) The position of Inspector General shall be—

6 “(A) classified as a position as a senior level
7 employee, in accordance with this title; and

8 “(B) have a rate of basic pay that is not less
9 than the average rate of basic pay of all other senior
10 level employees of the Government Publishing Office
11 calculated on an annual basis.

12 “(2) The Director of the Government Publishing Of-
13 fice shall establish the amount of the annual adjustment
14 in the rate of basic pay for the Inspector General in an
15 amount equal to the average of the annual adjustments
16 in the rate of basic pay provided to all other senior level
17 employees of the Government Publishing Office, consistent
18 with this title.

19 “(d) The Inspector General may not receive any cash
20 award or cash bonus, including a cash award under chap-
21 ter 45 of title 5.

22 “(e) The Inspector General shall, in accordance with
23 applicable laws and regulations governing selections, ap-
24 pointments, and employment at the Government Pub-
25 lishing Office, obtain legal advice from a counsel reporting

1 directly to the Inspector General or another Inspector
2 General.”.

3 (2) TECHNICAL AND CONFORMING AMEND-
4 MENT.—The table of sections for chapter 39 of title
5 44, United States Code, is amended by striking the
6 item relating to section 3902 and inserting the fol-
7 lowing:

 “3902. Appointment of Inspector General; supervision; removal; pay; limits on
 bonuses; counsel.”.

8 **SEC. 1603. LAW ENFORCEMENT AUTHORITY.**

9 (a) LIBRARY OF CONGRESS.—Section 1307(d) of the
10 Legislative Branch Appropriations Act, 2006 (2 U.S.C.
11 185(d)) is amended by adding at the end the following:

12 “(3) LAW ENFORCEMENT AUTHORITY.—

13 “(A) IN GENERAL.—Subject to subpara-
14 graph (B), any supervisory special agent under
15 the Inspector General and any special agent su-
16 pervised by such a supervisory special agent is
17 authorized to—

18 “(i) make an arrest without a warrant
19 while engaged in official duties as author-
20 ized under this section or any other statute
21 for any offense against the United States
22 committed in the presence of such super-
23 visory special agent or special agent, or for
24 any felony cognizable under the laws of the

1 United States if such supervisory special
2 agent or special agent has reasonable
3 grounds to believe that the person to be ar-
4 rested has committed or is committing
5 such felony;

6 “(ii) seek and execute warrants for ar-
7 rest, search of a premises, or seizure of
8 evidence issued under the authority of the
9 United States upon probable cause to be-
10 lieve that a violation has been committed;
11 and

12 “(iii) carry a firearm while engaged in
13 official duties as authorized under this sec-
14 tion or any other statute.

15 “(B) REQUIREMENTS TO EXERCISE AU-
16 THORITY.—

17 “(i) REQUIRED CERTIFICATION.—

18 “(I) IN GENERAL.—In order to
19 exercise the authority under subpara-
20 graph (A), a supervisory special agent
21 or a special agent supervised by such
22 a supervisory special agent shall cer-
23 tify that he or she—

24 “(aa) is a citizen of the
25 United States;

1 “(bb) has successfully com-
2 pleted a basic law enforcement
3 training program or military or
4 other equivalent; and

5 “(cc) is not prohibited from
6 receiving a firearm under Federal
7 law, including under section
8 922(g)(9) of title 18, United
9 States Code, because of a convic-
10 tion of a misdemeanor crime of
11 domestic violence.

12 “(II) ADDITIONAL REQUIRE-
13 MENTS.—After providing notice to the
14 appropriate committees of Congress,
15 the Inspector General may add re-
16 quirements to the certification re-
17 quired under subclause (I), as deter-
18 mined appropriate by the Inspector
19 General.

20 “(ii) MAINTENANCE OF REQUIRE-
21 MENTS.—The Inspector General shall
22 maintain firearms-related requirements
23 (including quarterly firearms qualifica-
24 tions) and use of force training require-
25 ments that, except to the extent the In-

1 spector General determines necessary to ef-
2 fectively carry out the duties of the Office
3 of the Inspector General, are in accordance
4 with the Council of the Inspectors General
5 on Integrity and Efficiency use of force
6 policies, which incorporate Department of
7 Justice guidelines.

8 “(iii) ELIGIBILITY DETERMINATION.—

9 “(I) IN GENERAL.—The Inspec-
10 tor General shall—

11 “(aa) determine whether an
12 individual meets the requirements
13 under this paragraph; and

14 “(bb) revoke any authority
15 granted to an individual under
16 subparagraph (A) if the indi-
17 vidual is not in compliance with
18 the requirements of this para-
19 graph.

20 “(II) REAUTHORIZATION.—The
21 Inspector General may reauthorize an
22 individual to exercise the authority
23 granted under subparagraph (A) if
24 the Inspector General determines the
25 individual has achieved compliance

1 with the requirements under this
2 paragraph.

3 “(III) LIMITATION ON APPEAL.—

4 A revocation of the authority granted
5 under subparagraph (A) shall not be
6 subject to administrative, judicial, or
7 other review, unless the revocation re-
8 sults in an adverse action. Such an
9 adverse action may, at the election of
10 the applicable individual, be reviewed
11 in accordance with the otherwise ap-
12 plicable procedures.

13 “(C) SEMIANNUAL CERTIFICATION OF
14 PROGRAM.—

15 “(i) IN GENERAL.—Before the first
16 grant of authority under subparagraph
17 (A), and semiannually thereafter as part of
18 the report under section 5 of the Inspector
19 General Act of 1978 (5 U.S.C. App.), the
20 Inspector General shall submit to the ap-
21 propriate committees of Congress a written
22 certification that adequate internal safe-
23 guards and management procedures exist
24 that, except to the extent the Inspector
25 General determines necessary to effectively

1 carry out the duties of the Office of the In-
2 spector General, are in compliance with
3 standards established by the Council of the
4 Inspectors General on Integrity and Effi-
5 ciency, which incorporate Department of
6 Justice guidelines, to ensure proper exer-
7 cise of the powers authorized under this
8 paragraph.

9 “(ii) SUSPENSION OF AUTHORITY.—
10 The authority granted under this para-
11 graph (including any grant of authority to
12 an individual under subparagraph (A),
13 without regard to whether the individual is
14 in compliance with subparagraph (B)) may
15 be suspended by the Inspector General if
16 the Office of Inspector General fails to
17 comply with the reporting and review re-
18 quirements under clause (i) of this sub-
19 paragraph or subparagraph (D). Any sus-
20 pension of authority under this clause shall
21 be reported to the appropriate committees
22 of Congress.

23 “(D) PEER REVIEW.—To ensure the prop-
24 er exercise of the law enforcement powers au-
25 thorized under this paragraph, the Office of In-

1 spector General shall submit to and participate
2 in the external review process established by the
3 Council of the Inspectors General on Integrity
4 and Efficiency for ensuring that adequate inter-
5 nal safeguards and management procedures
6 continue to exist. Under the review process, the
7 exercise of the law enforcement powers by the
8 Office of Inspector General shall be reviewed
9 periodically by another Office of Inspector Gen-
10 eral or by a committee of Inspectors General.
11 The results of each review shall be commu-
12 nicated in writing to the Inspector General, the
13 Council of the Inspectors General on Integrity
14 and Efficiency, and the appropriate committees
15 of Congress.

16 “(E) ALLEGED MISCONDUCT.—Any allega-
17 tion of misconduct by an individual granted au-
18 thority under subparagraph (A) may be re-
19 viewed by the Integrity Committee of the Coun-
20 cil of the Inspectors General on Integrity and
21 Efficiency.

22 “(F) APPROPRIATE COMMITTEES OF CON-
23 GRESS.—In this paragraph, the term ‘appro-
24 priate committees of Congress’ means—

1 “(i) the Committee on Rules and Ad-
2 ministration and the Committee on Appro-
3 priations of the Senate; and

4 “(ii) the Committee on House Admin-
5 istration and the Committee on Appropria-
6 tions of the House of Representatives.”.

7 (b) ARCHITECT OF THE CAPITOL.—Section 1301(d)
8 of the Architect of the Capitol Inspector General Act of
9 2007 (2 U.S.C. 1808(d)) is amended by adding at the end
10 the following:

11 “(3) LAW ENFORCEMENT AUTHORITY.—

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), any supervisory special agent under
14 the Inspector General and any special agent su-
15 pervised by such a supervisory special agent is
16 authorized to—

17 “(i) make an arrest without a warrant
18 while engaged in official duties as author-
19 ized under this section or any other statute
20 for any offense against the United States
21 committed in the presence of such super-
22 visory special agent or special agent, or for
23 any felony cognizable under the laws of the
24 United States if such supervisory special
25 agent or special agent has reasonable

1 grounds to believe that the person to be ar-
2 rested has committed or is committing
3 such felony;

4 “(ii) seek and execute warrants for ar-
5 rest, search of a premises, or seizure of
6 evidence issued under the authority of the
7 United States upon probable cause to be-
8 lieve that a violation has been committed;
9 and

10 “(iii) carry a firearm while engaged in
11 official duties as authorized under this sec-
12 tion or any other statute.

13 “(B) REQUIREMENTS TO EXERCISE AU-
14 THORITY.—

15 “(i) REQUIRED CERTIFICATION.—

16 “(I) IN GENERAL.—In order to
17 exercise the authority under subpara-
18 graph (A), a supervisory special agent
19 or a special agent supervised by such
20 a supervisory special agent shall cer-
21 tify that he or she—

22 “(aa) is a citizen of the
23 United States;

24 “(bb) has successfully com-
25 pleted a basic law enforcement

1744

1 training program or military or
2 other equivalent; and

3 “(cc) is not prohibited from
4 receiving a firearm under Federal
5 law, including under section
6 922(g)(9) of title 18, United
7 States Code, because of a convic-
8 tion of a misdemeanor crime of
9 domestic violence.

10 “(II) ADDITIONAL REQUIRE-
11 MENTS.—After providing notice to the
12 appropriate committees of Congress,
13 the Inspector General may add re-
14 quirements to the certification re-
15 quired under subclause (I), as deter-
16 mined appropriate by the Inspector
17 General.

18 “(ii) MAINTENANCE OF REQUIRE-
19 MENTS.—The Inspector General shall
20 maintain firearms-related requirements
21 (including quarterly firearms qualifica-
22 tions) and use of force training require-
23 ments that, except to the extent the In-
24 spector General determines necessary to ef-
25 fectively carry out the duties of the Office

1 of the Inspector General, are in accordance
2 with the Council of the Inspectors General
3 on Integrity and Efficiency use of force
4 policies, which incorporate Department of
5 Justice guidelines.

6 “(iii) ELIGIBILITY DETERMINATION.—

7 “(I) IN GENERAL.—The Inspec-
8 tor General shall—

9 “(aa) determine whether an
10 individual meets the requirements
11 under this paragraph; and

12 “(bb) revoke any authority
13 granted to an individual under
14 subparagraph (A) if the indi-
15 vidual is not in compliance with
16 the requirements of this para-
17 graph.

18 “(II) REAUTHORIZATION.—The
19 Inspector General may reauthorize an
20 individual to exercise the authority
21 granted under subparagraph (A) if
22 the Inspector General determines the
23 individual has achieved compliance
24 with the requirements under this
25 paragraph.

1 “(III) LIMITATION ON APPEAL.—

2 A revocation of the authority granted
3 under subparagraph (A) shall not be
4 subject to administrative, judicial, or
5 other review, unless the revocation re-
6 sults in an adverse action. Such an
7 adverse action may, at the election of
8 the applicable individual, be reviewed
9 in accordance with the otherwise ap-
10 plicable procedures.

11 “(C) SEMIANNUAL CERTIFICATION OF
12 PROGRAM.—

13 “(i) IN GENERAL.—Before the first
14 grant of authority under subparagraph
15 (A), and semiannually thereafter as part of
16 the report under section 5 of the Inspector
17 General Act of 1978 (5 U.S.C. App.), the
18 Inspector General shall submit to the ap-
19 propriate committees of Congress a written
20 certification that adequate internal safe-
21 guards and management procedures exist
22 that, except to the extent the Inspector
23 General determines necessary to effectively
24 carry out the duties of the Office of the In-
25 specter General, are in compliance with

1 standards established by the Council of the
2 Inspectors General on Integrity and Effi-
3 ciency, which incorporate Department of
4 Justice guidelines, to ensure proper exer-
5 cise of the powers authorized under this
6 paragraph.

7 “(ii) SUSPENSION OF AUTHORITY.—
8 The authority granted under this para-
9 graph (including any grant of authority to
10 an individual under subparagraph (A),
11 without regard to whether the individual is
12 in compliance with subparagraph (B)) may
13 be suspended by the Inspector General if
14 the Office of Inspector General fails to
15 comply with the reporting and review re-
16 quirements under clause (i) of this sub-
17 paragraph or subparagraph (D). Any sus-
18 pension of authority under this clause shall
19 be reported to the appropriate committees
20 of Congress.

21 “(D) PEER REVIEW.—To ensure the prop-
22 er exercise of the law enforcement powers au-
23 thorized under this paragraph, the Office of In-
24 spector General shall submit to and participate
25 in the external review process established by the

1 Council of the Inspectors General on Integrity
2 and Efficiency for ensuring that adequate inter-
3 nal safeguards and management procedures
4 continue to exist. Under the review process, the
5 exercise of the law enforcement powers by the
6 Office of Inspector General shall be reviewed
7 periodically by another Office of Inspector Gen-
8 eral or by a committee of Inspectors General.
9 The results of each review shall be commu-
10 nicated in writing to the Inspector General, the
11 Council of the Inspectors General on Integrity
12 and Efficiency, and the appropriate committees
13 of Congress.

14 “(E) ALLEGED MISCONDUCT.—Any allega-
15 tion of misconduct by an individual granted au-
16 thority under subparagraph (A) may be re-
17 viewed by the Integrity Committee of the Coun-
18 cil of the Inspectors General on Integrity and
19 Efficiency.

20 “(F) APPROPRIATE COMMITTEES OF CON-
21 GRESS.—In this paragraph, the term ‘appro-
22 priate committees of Congress’ means—

23 “(i) the Committee on Rules and Ad-
24 ministration and the Committee on Appro-
25 priations of the Senate; and

1 “(ii) the Committee on House Admin-
2 istration and the Committee on Appropria-
3 tions of the House of Representatives.”.

4 (c) GOVERNMENT PUBLISHING OFFICE.—Section
5 3903 of title 44, United States Code, is amended is
6 amended by adding at the end the following:

7 “(c)(1) Subject to paragraph (2), any supervisory
8 special agent under the Inspector General and any special
9 agent supervised by such a supervisory special agent is
10 authorized to—

11 “(A) make an arrest without a warrant while
12 engaged in official duties as authorized under this
13 chapter or any other statute for any offense against
14 the United States committed in the presence of such
15 supervisory special agent or special agent, or for any
16 felony cognizable under the laws of the United
17 States if such supervisory special agent or special
18 agent has reasonable grounds to believe that the per-
19 son to be arrested has committed or is committing
20 such felony;

21 “(B) seek and execute warrants for arrest,
22 search of a premises, or seizure of evidence issued
23 under the authority of the United States upon prob-
24 able cause to believe that a violation has been com-
25 mitted; and

1 “(C) carry a firearm while engaged in official
2 duties as authorized under this chapter or any other
3 statute.

4 “(2)(A)(i) In order to exercise the authority under
5 paragraph (1), a supervisory special agent or a special
6 agent supervised by such a supervisory special agent shall
7 certify that he or she—

8 “(I) is a citizen of the United States;

9 “(II) has successfully completed a basic law en-
10 forcement training program or military or other
11 equivalent; and

12 “(III) is not prohibited from receiving a firearm
13 under Federal law, including under section
14 922(g)(9) of title 18, United States Code, because of
15 a conviction of a misdemeanor crime of domestic vio-
16 lence.

17 “(ii) After providing notice to the appropriate com-
18 mittees of Congress, the Inspector General may add re-
19 quirements to the certification required under clause (i),
20 as determined appropriate by the Inspector General.

21 “(B) The Inspector General shall maintain firearms-
22 related requirements (including quarterly firearms quali-
23 fications) and use of force training requirements that, ex-
24 cept to the extent the Inspector General determines nec-
25 essary to effectively carry out the duties of the Office of

1 the Inspector General, are in accordance with the Council
2 of the Inspectors General on Integrity and Efficiency use
3 of force policies, which incorporate Department of Justice
4 guidelines.

5 “(C)(i) The Inspector General shall—

6 “(I) determine whether an individual meets the
7 requirements under this subsection; and

8 “(II) revoke any authority granted to an indi-
9 vidual under paragraph (1) if the individual is not
10 in compliance with the requirements of this sub-
11 section.

12 “(ii) The Inspector General may reauthorize an indi-
13 vidual to exercise the authority granted under paragraph
14 (1) if the Inspector General determines the individual has
15 achieved compliance with the requirements under this sub-
16 section.

17 “(iii) A revocation of the authority granted under
18 paragraph (1) shall not be subject to administrative, judi-
19 cial, or other review, unless the revocation results in an
20 adverse action. Such an adverse action may, at the election
21 of the applicable individual, be reviewed in accordance
22 with the otherwise applicable procedures.

23 “(3)(A) Before the first grant of authority under
24 paragraph (1), and semiannually thereafter as part of the
25 report under section 5 of the Inspector General Act of

1 1978 (5 U.S.C. App.), the Inspector General shall submit
2 to the appropriate committees of Congress a written cer-
3 tification that adequate internal safeguards and manage-
4 ment procedures exist that, except to the extent the In-
5 spector General determines necessary to effectively carry
6 out the duties of the Office of the Inspector General, are
7 in compliance with standards established by the Council
8 of the Inspectors General on Integrity and Efficiency,
9 which incorporate Department of Justice guidelines, to en-
10 sure proper exercise of the powers authorized under this
11 subsection.

12 “(B) The authority granted under this subsection (in-
13 cluding any grant of authority to an individual under
14 paragraph (1), without regard to whether the individual
15 is in compliance with paragraph (2)) may be suspended
16 by the Inspector General if the Office of Inspector General
17 fails to comply with the reporting and review requirements
18 under subparagraph (A) of this paragraph or paragraph
19 (4). Any suspension of authority under this subparagraph
20 shall be reported to the appropriate committees of Con-
21 gress.

22 “(4) To ensure the proper exercise of the law enforce-
23 ment powers authorized under this subsection, the Office
24 of Inspector General shall submit to and participate in the
25 external review process established by the Council of the

1 Inspectors General on Integrity and Efficiency for ensur-
2 ing that adequate internal safeguards and management
3 procedures continue to exist. Under the review process, the
4 exercise of the law enforcement powers by the Office of
5 Inspector General shall be reviewed periodically by another
6 Office of Inspector General or by a committee of Inspec-
7 tors General. The results of each review shall be commu-
8 nicated in writing to the Inspector General, the Council
9 of the Inspectors General on Integrity and Efficiency, and
10 the appropriate committees of Congress.

11 “(5) Any allegation of misconduct by an individual
12 granted authority under paragraph (1) may be reviewed
13 by the Integrity Committee of the Council of the Inspec-
14 tors General on Integrity and Efficiency.

15 “(6) In this subsection, the term ‘appropriate com-
16 mittees of Congress’ means—

17 “(A) the Committee on Rules and Administra-
18 tion and the Committee on Appropriations of the
19 Senate; and

20 “(B) the Committee on House Administration
21 and the Committee on Appropriations of the House
22 of Representatives.”.

23 **SEC. 1604. BUDGET INDEPENDENCE.**

24 (a) LIBRARY OF CONGRESS.—

1 (1) **AUTHORITY.**—Section 1307(d) of the Legis-
2 lative Branch Appropriations Act, 2006 (2 U.S.C.
3 185(d)), as amended by section 1603 of this Act, is
4 amended by adding at the end the following:

5 “(4) **BUDGET INDEPENDENCE.**—The Librarian
6 of Congress shall include the annual budget request
7 of the Inspector General in the budget of the Li-
8 brary of Congress without change.”.

9 (b) **OFFICE OF THE ARCHITECT OF THE CAPITOL.**—
10 Section 1301(d) of the Architect of the Capitol Inspector
11 General Act of 2007 (2 U.S.C. 1808(d)), as amended by
12 section 1603 of this Act, is amended by adding at the end
13 the following:

14 “(4) **BUDGET INDEPENDENCE.**—The Architect
15 of the Capitol shall include the annual budget re-
16 quest of the Inspector General in the budget of the
17 Office of the Architect of the Capitol without
18 change.”.

19 (c) **GOVERNMENT PUBLISHING OFFICE.**—Section
20 3903 of title 44, United States Code, as amended by sec-
21 tion 1603 of this Act, is amended by adding at the end
22 the following:

23 “(d) The Director of the Government Publishing Of-
24 fice shall include the annual budget request of the Inspec-

1 tor General in the budget of the Government Publishing
2 Office without change.”.

3 (d) SEPARATE ALLOCATIONS.—

4 (1) LEGISLATIVE BRANCH INSTRUMENTALITY
5 DEFINED.—In this subsection, the term “legislative
6 branch instrumentality” means the Library of Con-
7 gress, the Office of the Architect of the Capitol, or
8 the Government Publishing Office.

9 (2) ALLOCATION.—For fiscal year 2021, and
10 each fiscal year thereafter, Congress shall provide,
11 within the amounts made available for salaries and
12 expenses of each legislative branch instrumentality,
13 a separate allocation of amounts for salaries and ex-
14 penses of the Office of the Inspector General of the
15 covered legislative branch instrumentality.

16 **SEC. 1605. HIRING AUTHORITY.**

17 (a) LIBRARY OF CONGRESS.—Section 1307(d)(2) of
18 the Legislative Branch Appropriations Act, 2006 (2
19 U.S.C. 185(d)(2)) is amended—

20 (1) by striking “The Inspector” and inserting
21 the following:

22 “(A) IN GENERAL.—The Inspector”;

23 (2) in subparagraph (A), as so designated, by
24 inserting “, without the supervision or approval of

1 any other employee, office, or other entity within the
2 Library of Congress,” after “is authorized”; and

3 (3) by adding at the end the following:

4 “(B) SECURITY AND SUITABILITY.—Ap-
5 pointments under the authority under subpara-
6 graph (A) shall be made consistent with per-
7 sonnel security and suitability requirements.

8 “(C) CONSULTANTS.—Any appointment of
9 a consultant under the authority under sub-
10 paragraph (A) shall be made consistent with
11 section 6(a)(8) of the Inspector General Act of
12 1978 (5 U.S.C. App.).”.

13 (b) OFFICE OF THE ARCHITECT OF THE CAPITOL.—
14 Section 1301(d)(2) of the Architect of the Capitol Inspec-
15 tor General Act of 2007 (2 U.S.C. 1808(d)(2)) is amend-
16 ed—

17 (1) by striking “The Inspector” and inserting
18 the following:

19 “(A) IN GENERAL.—The Inspector”;

20 (2) in subparagraph (A), as so designated, by
21 inserting “, without the supervision or approval of
22 any other employee, office, or other entity within the
23 Office of the Architect of the Capitol,” after “is au-
24 thorized”; and

25 (3) by adding at the end the following:

1 “(B) SECURITY AND SUITABILITY.—Ap-
2 pointments under the authority under subpara-
3 graph (A) shall be made consistent with per-
4 sonnel security and suitability requirements.

5 “(C) CONSULTANTS.—Any appointment of
6 a consultant under the authority under sub-
7 paragraph (A) shall be made consistent with
8 section 6(a)(8) of the Inspector General Act of
9 1978 (5 U.S.C. App.).”.

10 (c) GOVERNMENT PUBLISHING OFFICE.—Section
11 3903(b) of title 44, United States Code, is amended—

12 (1) by inserting “(1)” before “The Inspector”;

13 (2) in paragraph (1), as so designated, by in-
14 serting “, without the supervision or approval of any
15 other employee, office, or other entity within the
16 Government Publishing Office,” after “is author-
17 ized”; and

18 (3) by adding at the end the following:

19 “(2) Appointments under the authority under para-
20 graph (1) shall be made consistent with personnel security
21 and suitability requirements.

22 “(3) Any appointment of a consultant under the au-
23 thority under paragraph (1) shall be made consistent with
24 section 6(a)(8) of the Inspector General Act of 1978 (5
25 U.S.C. App.).”.

1 **TITLE XVII—MANAGING**
 2 **POLITICAL FUND ACTIVITY**

3 **SEC. 1701. MANAGING POLITICAL FUND ACTIVITY.**

4 The Majority Leader and the Minority Leader may
 5 each designate up to 2 employees of their respective lead-
 6 ership office staff as designees referred to in the second
 7 sentence of paragraph 1 of rule XLI of the Standing Rules
 8 of the Senate.

9 **TITLE XVIII—KENTUCKY**
 10 **WILDLANDS NATIONAL HER-**
 11 **ITAGE AREA STUDY**

12 **SEC. 1801. SHORT TITLE.**

13 This title may be cited as the “Kentucky Wildlands
 14 National Heritage Area Study Act”.

15 **SEC. 1802. DEFINITIONS.**

16 In this Act:

17 (1) **HERITAGE AREA.**—The term “Heritage
 18 Area” means the Kentucky Wildlands National Her-
 19 itage Area.

20 (2) **SECRETARY.**—The term “Secretary” means
 21 the Secretary of the Interior.

22 (3) **STATE.**—The term “State” means the State
 23 of Kentucky.

24 (4) **STUDY AREA.**—The term “study area”
 25 means—

1 (A) Adair, Bath, Bell, Boyd, Breathitt,
2 Carter, Casey, Clay, Clinton, Cumberland, El-
3 liott, Floyd, Green, Harlan, Jackson, Johnson,
4 Knott, Knox, Laurel, Lawrence, Lee, Leslie,
5 Letcher, Lincoln, Magoffin, Martin, McCreary,
6 Menifee, Metcalfe, Monroe, Morgan, Owsley,
7 Perry, Pike, Pulaski, Rockcastle, Rowan, Rus-
8 sell, Wayne, Whitley, and Wolfe Counties in the
9 State; and

10 (B) any other areas in the State that—

11 (i) have heritage aspects that are
12 similar to the heritage aspects of the areas
13 described in subparagraph (A); and

14 (ii) are adjacent to, or in the vicinity
15 of, the areas described in that subpara-
16 graph.

17 **SEC. 1803. STUDY.**

18 (a) IN GENERAL.—The Secretary, in consultation
19 with State and local historic preservation officers, State
20 and local historical societies, State and local tourism of-
21 fices, and other appropriate organizations and govern-
22 mental agencies, shall conduct a study to assess the suit-
23 ability and feasibility of designating the study area as a
24 National Heritage Area, to be known as the “Kentucky
25 Wildlands National Heritage Area”.

1 (b) REQUIREMENTS.—The study shall include anal-
2 ysis, documentation, and determinations on whether the
3 study area—

4 (1) has an assemblage of natural, historic, and
5 cultural resources that—

6 (A) represent distinctive aspects of the her-
7 itage of the United States;

8 (B) are worthy of recognition, conserva-
9 tion, interpretation, and continuing use; and

10 (C) would be best managed—

11 (i) through partnerships among public
12 and private entities; and

13 (ii) by linking diverse and sometimes
14 noncontiguous resources and active com-
15 munities;

16 (2) reflects traditions, customs, beliefs, and
17 folklife that are a valuable part of the story of the
18 United States;

19 (3) provides outstanding opportunities—

20 (A) to conserve natural, historic, cultural,
21 or scenic features; and

22 (B) for recreation and education;

23 (4) contains resources that—

24 (A) are important to any identified themes
25 of the study area; and

1 (B) retain a degree of integrity capable of
2 supporting interpretation;

3 (5) includes residents, business interests, non-
4 profit organizations, and State and local govern-
5 ments that—

6 (A) are involved in the planning of the
7 Heritage Area;

8 (B) have developed a conceptual financial
9 plan that outlines the roles of all participants in
10 the Heritage Area, including the Federal Gov-
11 ernment; and

12 (C) have demonstrated support for the des-
13 ignation of the Heritage Area;

14 (6) has a potential management entity to work
15 in partnership with the individuals and entities de-
16 scribed in paragraph (5) to develop the Heritage
17 Area while encouraging State and local economic ac-
18 tivity;

19 (7) could impact the rights of private property
20 owners with respect to private property; and

21 (8) has a conceptual boundary map that is sup-
22 ported by the public.

23 **SEC. 1804. REPORT.**

24 Not later than 3 years after the date on which funds
25 are first made available to carry out this Act, the Sec-

1 retary shall submit to the Committee on Energy and Nat-
2 ural Resources of the Senate and the Committee on Nat-
3 ural Resources of the House of Representatives a report
4 that describes—

5 (1) the findings of the study under section
6 1803; and

7 (2) any conclusions and recommendations of the
8 Secretary.

9 **TITLE XIX—INTERNATIONAL**
10 **BANK FOR RECONSTRUCTION**
11 **AND DEVELOPMENT**

12 **SEC. 1901. INTERNATIONAL BANK FOR RECONSTRUCTION**
13 **AND DEVELOPMENT.**

14 The Bretton Woods Agreements Act (22 U.S.C. 286
15 et seq.) is amended by adding at the end the following
16 new section:

17 **“SEC. 73. CAPITAL STOCK INCREASES.**

18 “(a) INCREASES AUTHORIZED.—The United States
19 Governor of the Bank is authorized—

20 “(1)(A) to vote in favor of a resolution to in-
21 crease the capital stock of the Bank on a selective
22 basis by 245,773 shares; and

23 “(B) to subscribe on behalf of the United
24 States to 42,298 additional shares of the capital
25 stock of the Bank, as part of the selective increase

1 in the capital stock of the Bank, except that any
2 subscription to such additional shares shall be effective
3 only to the extent or in such amounts as are
4 provided in advance in appropriations Acts; and

5 “(2)(A) to vote in favor of a resolution to increase
6 the capital stock of the Bank on a general
7 basis by 230,500 shares; and

8 “(B) to subscribe on behalf of the United
9 States to 38,662 additional shares of the capital
10 stock of the Bank, as part of the general increase
11 in the capital stock of the Bank, except that any
12 subscription to such additional shares shall be effective
13 only to the extent or in such amounts as are
14 provided in advance in appropriations Acts.

15 “(b) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—(1) In order to pay for the increase in the
16 United States subscription to the Bank under subsection
17 (a)(2)(B), there are authorized to be appropriated, without
18 fiscal year limitation, \$4,663,990,370 for payment by
19 the Secretary of the Treasury.

21 “(2) Of the amount authorized to be appropriated
22 under paragraph (1), \$932,798,074 shall be for paid in
23 shares of the Bank, and \$3,731,192,296 shall be for callable
24 shares of the Bank.

1 “(3) In order to pay for the increase in the United
2 States subscription to the Bank under subsection
3 (a)(1)(B), there are authorized to be appropriated, with-
4 out fiscal year limitation \$5,102,619,230 for payment by
5 the Secretary of the Treasury.

6 “(4) Of the amount authorized to be appropriated
7 under paragraph (3), \$306,157,153.80 shall be for paid
8 in shares of the Bank, and \$4,796,462,076.20 shall be for
9 callable shares of the Bank.”.

10 **TITLE XX—EUROPEAN ENERGY**
11 **SECURITY AND DIVERSIFICA-**
12 **TION ACT OF 2019**

13 **SEC. 2001. SHORT TITLE.**

14 This title may be cited as the “European Energy Se-
15 curity and Diversification Act of 2019”.

16 **SEC. 2002. DEFINITIONS.**

17 In this title:

18 (1) **EARLY-STAGE PROJECT SUPPORT.**—The
19 term “early-stage project support” includes—

20 (A) feasibility studies;

21 (B) resource evaluations;

22 (C) project appraisal and costing;

23 (D) pilot projects;

24 (E) commercial support, such as trade
25 missions, reverse trade missions, technical

1 workshops, international buyer programs, and
2 international partner searchers to link suppliers
3 to projects;

4 (F) technical assistance and other guid-
5 ance to improve the local regulatory environ-
6 ment and market frameworks to encourage
7 transparent competition and enhance energy se-
8 curity; and

9 (G) long-term energy sector planning.

10 (2) LATE-STAGE PROJECT SUPPORT.—The term
11 “late-stage project support” includes debt financing,
12 insurance, and transaction advisory services.

13 **SEC. 2003. STATEMENT OF POLICY.**

14 (a) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that the United States has economic and national
16 security interests in assisting European and Eurasian
17 countries achieve energy security through diversification
18 of their energy sources and supply routes.

19 (b) STATEMENT OF POLICY.—It is the policy of the
20 United States—

21 (1) to advance United States foreign policy and
22 development goals by assisting European and Eur-
23 asian countries to reduce their dependence on energy
24 resources from countries that use energy dependence
25 for undue political influence, such as the Russian

1 Federation, which has used natural gas to coerce, in-
2 timidate, and influence other countries;

3 (2) to promote the energy security of allies and
4 partners of the United States by encouraging the de-
5 velopment of accessible, transparent, and competitive
6 energy markets that provide diversified sources,
7 types, and routes of energy;

8 (3) to encourage United States public and pri-
9 vate sector investment in European energy infra-
10 structure projects to bridge the gap between energy
11 security requirements and commercial demand in a
12 way that is consistent with the region's absorptive
13 capacity; and

14 (4) to help facilitate the export of United States
15 energy resources, technology, and expertise to global
16 markets in a way that benefits the energy security
17 of allies and partners of the United States, including
18 in Europe and Eurasia.

19 **SEC. 2004. PRIORITIZATION OF EFFORTS AND ASSISTANCE**
20 **FOR ENERGY INFRASTRUCTURE PROJECTS**
21 **IN EUROPE AND EURASIA.**

22 (a) IN GENERAL.—In pursuing the policy described
23 in section 2003, the Secretary of State, in consultation
24 with the Secretary of Energy and the heads of other rel-
25 evant United States agencies, shall, as appropriate,

1 prioritize and expedite the efforts of the Department of
2 State and those agencies in supporting the efforts of the
3 European Commission and the governments of European
4 and Eurasian countries to increase their energy security,
5 including through—

6 (1) providing diplomatic and political support to
7 the European Commission and those governments,
8 as necessary—

9 (A) to facilitate international negotiations
10 concerning cross-border infrastructure;

11 (B) to enhance Europe’s regulatory envi-
12 ronment with respect to energy; and

13 (C) to develop accessible, transparent, and
14 competitive energy markets supplied by diverse
15 sources, types, and routes of energy; and

16 (2) providing support to improve European and
17 Eurasian energy markets, including early-stage
18 project support and late-stage project support for
19 the construction or improvement of energy and re-
20 lated infrastructure, as necessary—

21 (A) to diversify the energy sources and
22 supply routes of European and Eurasian coun-
23 tries;

24 (B) to enhance energy market integration
25 across the region; and

1 (C) to increase competition within energy
2 markets.

3 (b) PROJECT SELECTION.—

4 (1) IN GENERAL.—The agencies described in
5 subsection (a) shall identify energy infrastructure
6 projects that would be appropriate for United States
7 assistance under this section.

8 (2) PROJECT ELIGIBILITY.—A project is eligible
9 for United States assistance under this section if the
10 project—

11 (A)(i) improves electricity transmission in-
12 frastructure, power generation through the use
13 of a broad power mix (including fossil fuel and
14 renewable energy), or energy efficiency; or

15 (ii) advances electricity storage projects,
16 smart grid projects, distributed generation mod-
17 els, or other technological innovations, as ap-
18 propriate; and

19 (B) is located in a European or Eurasian
20 country.

21 (3) PREFERENCE.—In selecting among projects
22 that are eligible under paragraph (2), the agencies
23 described in subsection (a) shall give preference to
24 projects that—

1 (A) link the energy systems of 2 or more
2 European or Eurasian countries;

3 (B) have already been identified by the
4 European Commission as being integral for the
5 energy security of European countries;

6 (C) are expected to enhance energy market
7 integration;

8 (D) can attract funding from the private
9 sector, an international financial institution, the
10 government of the country in which the project
11 will be carried out, or the European Commis-
12 sion; or

13 (E) have the potential to use United States
14 goods and services during project implementa-
15 tion.

16 (c) TYPES OF ASSISTANCE.—

17 (1) DIPLOMATIC AND POLITICAL SUPPORT.—

18 The Secretary of State shall provide diplomatic and
19 political support to the European Commission and
20 the governments of European and Eurasian coun-
21 tries, as necessary, including by using the diplomatic
22 and political influence and expertise of the Depart-
23 ment of State to build the capacity of those coun-
24 tries to resolve any impediments to the development
25 of projects selected under subsection (b).

1 (2) EARLY-STAGE PROJECT SUPPORT.—The Di-
2 rector of the Trade and Development Agency shall
3 provide early-stage project support with respect to
4 projects selected under subsection (b), as necessary.

5 (3) LATE-STAGE PROJECT SUPPORT.—Agencies
6 described in subsection (a) that provide late-stage
7 project support shall do so with respect to projects
8 selected under subsection (b), as necessary.

9 (d) FUNDING.—

10 (1) TRADE AND DEVELOPMENT AGENCY.—Sec-
11 tion 661(f)(1)(A) of the Foreign Assistance Act of
12 1961 (22 U.S.C. 2421(f)(1)(A)) is amended by
13 striking “\$48,000,000 for fiscal year 2000” and in-
14 serting “\$79,500,000 for fiscal year 2020”.

15 (2) COUNTERING RUSSIAN INFLUENCE FUND.—
16 Section 254 of the Countering Russian Influence in
17 Europe and Eurasia Act of 2017 (22 U.S.C. 9543)
18 is amended—

19 (A) in subsection (a), by striking “fiscal
20 years 2018 and 2019” and inserting “fiscal
21 years 2020, 2021, 2022, and 2023”; and

22 (B) in subsection (b), by adding at the end
23 the following new paragraph:

24 “(7) To assist United States agencies that op-
25 erate under the foreign policy guidance of the Sec-

1 retary of State in providing assistance under section
2 2004 of the European Energy Security and Diver-
3 sification Act of 2019.”.

4 (e) EXCEPTION FROM CERTAIN LIMITATION UNDER
5 BUILD ACT.—

6 (1) IN GENERAL.—For purposes of providing
7 support for projects under this section—

8 (A) the United States International Devel-
9 opment Finance Corporation may provide sup-
10 port for projects in countries with upper-mid-
11 dle-income economies or high-income economies
12 (as those terms are defined by the World
13 Bank);

14 (B) the restriction under section
15 1412(c)(2) of the Better Utilization of Invest-
16 ments Leading to Development Act of 2018 (22
17 U.S.C. 9612(c)(2)) shall not apply; and

18 (C) the Corporation shall restrict the pro-
19 vision of such support in a country described in
20 subparagraph (A) unless—

21 (i) the President certifies to the ap-
22 propriate congressional committees that
23 such support furthers the national eco-
24 nomic or foreign policy interests of the
25 United States; and

1 (ii) such support is—

2 (I) designed to produce signifi-
3 cant developmental outcomes or pro-
4 vide developmental benefits to the
5 poorest population of that country; or

6 (II) necessary to preempt or
7 counter efforts by a strategic compet-
8 itor of the United States to secure
9 significant political or economic lever-
10 age or acquire national security-sen-
11 sitive technologies or infrastructure in
12 a country that is an ally or partner of
13 the United States.

14 (2) DEFINITIONS.—In this subsection, the
15 terms “appropriate congressional committees” and
16 “less developed country” have the meanings given
17 those terms in section 1402 of the Better Utilization
18 of Investments Leading to Development Act of 2018
19 (22 U.S.C. 9601).

20 **SEC. 2005. PROGRESS REPORTS.**

21 Not later than one year after the date of the enact-
22 ment of this Act, and annually thereafter, the President
23 shall submit to the Committee on Foreign Relations of the
24 Senate and the Committee on Foreign Affairs of the
25 House of Representatives a report on progress made in

1 providing assistance for projects under section 2004 that
2 includes—

3 (1) a description of the energy infrastructure
4 projects the United States has identified for such as-
5 sistance; and

6 (2) for each such project—

7 (A) a description of the role of the United
8 States in the project, including in early-stage
9 project support and late-stage project support;

10 (B) the amount and form of any debt fi-
11 nancing and insurance provided by the United
12 States Government for the project;

13 (C) the amount and form of any early-
14 stage project support; and

15 (D) an update on the progress made on
16 the project as of the date of the report.

